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THE

TRIAL

OF THE

CAUSE

OF

THE KING

VERSUS

THE BISHOP OF BANGOR, HUGH OWEN, D.D. JOHN ROBERTS, JOHN WILLIAMS, CLERKS,

AND

THOMAS JONES, GENTLEMAN;

At the ASSISIZES holden at SHREWSBURY, on the 26th of July, 1796,

Before the Honourable Mr. Juſtice HEATH;

By a SPECIAL JURY.

Taken in Short-Hand by Mr. GURNEY.

WITH

CONSIDERATIONS ON THE CASE, &c.

BY THE

REV. RICE HUGHES, A.M.

DOMESTIC CHAPLAIN TO THE RIGHT HONOURABLE THE EARL OF POULETT,

AND LATE OF ST. JOHN'S COLLEGE, CAMBRIDGE.

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From the Author

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THE KING

On the Profecution of Samuel Grindley,

AGAINST

The Right Reverend John *Lord Biſhop of* Bangor, Hugh Owen, *clerk, (D.D.)* John Roberts, *clerk,* John Williams, *clerk, and* Thomas Jones, *gentleman.*

THE Indictment conſiſts of ſeveral counts; and ſtates, That Samuel Grindley, gentleman, is Deputy Regiſtrar of the Conſiſtorial Court of the Biſhop of Bangor; and being ſuch, had of right the occupation of a certain Office adjoining to the Cathedral Church of Bangor, called The Regiſtrar's Office:

That the Defendants, intending to diſturb the ſaid Proſecutor in the execution of his ſaid office, and to trouble the peace of the King, on the eighth day of January 1796, unlawfully entered the ſaid office, and for the ſpace of one hour, againſt the will of the ſaid Samuel Grindley, ſtayed, and during the ſaid time made a diſturbance therein, and did aſſault, and evilly treat the ſaid Samuel Grindley, and did affirm that the ſaid Samuel Grindley unlawfully aſſumed the ſaid office:

That the Defendants did ſtir up ill-diſpoſed perſons therein aſſembled, to expel the ſaid Samuel Grindley out of the ſaid office:

That the ſaid Defendants did aſſemble to diſturb the peace of the King; and a certain room, called The Regiſtrar's Office, did enter, and diſturbance then and there did make, and upon the ſaid Samuel Grindley did make an aſſault:

That the Defendants did unlawfully aſſemble to diſturb the peace of the King, and upon the ſaid Samuel Grindley did make an aſſault.

This being a preceeding in the Court of King's Bench, the perſonal appearance of the Defendants was not neceſſary.

THE JURY.

THOMAS KINNERSLEY, - - of Leighton,
THOMAS JELFE POWYS, - - of Smethcott,
JOHN MOULTRIE, - - - - of Aſton Hall,
GEORGE APPLEBY, - - - - - of Shiffnall,
JOHN BISHTON, - - - - - - - of Kilſall,
EDWARD GATACRE, - - - - of Gatacre,
WILLIAM CLUDDE, - - - - - of Orlton,
EDWARD PEMBERTON, of Wrockwardine,
JOHN HILL, - - - - - - - - - of Prees,
ANDREW CORBETT, - - of High Hatton,
JOHN SMITHEMAN, - - of Weſt Coppice,
OWEN ROBERTS, - - - - - - - of Wem,

} Eſquires.

COUNSEL for the PROSECUTION:

MR. ADAM,
MR. SERJT. WILLIAMS,*
MR. MANLEY,
MR. ELLIS.

SOLICITOR,

MR. GRINDLEY, - - - the Profecutor.

COUNSEL for the DEFENDANTS:

The Honourable THOMAS ERSKINE,
MR. PLUMER,
MR. LEYCESTER,
MR. MILLES.

SOLICITOR,

MR. ANDREE.

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* Mr. Serjt Williams was prevented from attending by indiſpoſition.

MR. *Ellis* opened the Pleadings.

Mr. Adam for the Proſecution.

May it pleaſe your LORDSHIP.

Gentlemen of the Jury,

YOU have heard from my learned Friend, who has opened the pleadings to you in this cauſe, that Samuel Grindley is the Proſecutor, and that he is Deputy Regiſtrar of the Dioceſe of Bangor.—You have heard, likewiſe, that the Defendants are, the Biſhop of Bangor, three Clergymen, and a Gentleman who is Agent for the Biſhop.

In the outſet of this cauſe I have already learned enough, from the manner in which my learned friends have received the opening of the pleadings, to ſhew me, that they ſeem to have an inclination, as it were, to make that a jeſt, which, I can aſſure you, is a matter of extreme ſerioufneſs.—Gentlemen, I introduce it to you with all the anxiety which belongs to a perſon who is unaccuſtomed to addreſs you—I introduce it with the anxiety which belongs to a perſon, who is to maintain a conflict with abilities that are ſeldom unſucceſsful—but I open it to you, I do aſſure you, in the pure ſpirit of moderation and of candour; and, if I might ſay ſo in a queſtion of this ſort, in the pure ſpirit of the true principles of Chriſtianity; that is, of wiſhing that all mankind ſhould do unto others as they wiſh to ſee done unto themſelves.

Gentlemen, I wiſh to call your attention to it ſeriouſly, and will take the liberty of ſtating to you why you are called upon to judge in this cauſe.—The queſtion to be tried did not happen within your ordinary juriſdiction—it was not in this county

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that the offence, which is complained of, took place: But an application has been made to remove it here; and it is poſſible that ſuch an application might produce ſome prejudice in your minds, as if there had been ſomething in the conduct of the party, for whom I have the honour to appear, which has made it improper to permit the queſtion to be tried where it aroſe. The application to remove the cauſe from Wales to the neareſt Engliſh county, was made upon an affidavit, which I have not ſeen, and was granted by my Lord Chief Juſtice Kenyon, who undoubtedly exerciſed his diſcretion wiſely and juſtly, as he does upon all occaſions. He thought, that, under the circumſtances ſtated by thoſe concerned for the Biſhop of Bangor, and upon the affidavit made by thoſe who are proſecuted, without any oppoſition or interference of any ſort or kind whatever by the perſon who appears here as the Proſecutor, that it was fit to remove it. When he did ſo, I know he removed it to a tribunal of uprightneſs, of virtue, and honour. I know he removed it to a ſituation where, I am confident, intelligence and integrity will alike prevail; and I am by no means afraid of the mere circumſtance of its being removed, having any influence upon minds like yours.

Gentlemen: There may have ariſen prejudices in this, as there do ariſe prejudices in many cauſes. Undoubtedly, this is not the firſt time that this matter has been the ſubject of converſation and diſcourſe; probably it is not the firſt time that even you, who are impanelled to try the cauſe, may have heard of it.—It is my duty to my Client, it is my duty to the Public likewiſe, if there ſhould have been any ſuch converſation about this proſecution, to remove all thoſe prejudices—to remove all the impreſſions that may have been received, not only from your minds, were it poſſible you could have received them, but from all thoſe that ſtand around. I ſay it is important to my Client, and it is important

tant to the cauſe of public juſtice, that I ſhould endeavour to remove them.

Gentlemen: I beg leave to ſtate to you, in the temperate ſpirit which I have profeſſed, that this is not a queſtion, in which the general religious eſtabliſhment of the Country is at all involved. This is a queſtion, I can aſſure you, which is confined to the individuals who appear upon this record. It reaches no further than their conduct, on the particular occaſion. It is a queſtion which cannot, I am ſure, have the leaſt effect to the prejudice of that doctrine, or to the prejudice of that rank and ſituation in the State which is ſo important to the well-being of Society, which is ſo eſſential to bind together and to ſuſtain thoſe principles which tend not only to our happineſs hereafter, but to the good government of the world in which we now live. I pledge myſelf, then, that when you come to hear this caſe, you will find that the facts I ſhall prove are confined ſingly and ſolely to the parties named in this indictment.

Gentlemen: There is another circumſtance to which I could wiſh to call your attention, before I enter into the merits of this caſe, namely, that although a Church Dignitary ſtands in the front of thoſe indicted, that is no reaſon whatever why this indictment ſhould not have been preferred; for if the facts, which I have to ſtate to you, and which I ſhall afterwards prove to you; if the principles of law which, under his Lordſhip's direction, I ſhall have the honour to lay down to you, are correct, you will find that the public juſtice muſt be ſatisfied by a verdict of guilty, notwithſtanding the rank and ſituation of the firſt individual who is indicted.

It is a painful thing to me, not only on account of his rank and his ſituation, as a Biſhop of the Church and as a Peer of Parliament, to addreſs you upon a ſubject of this ſort; but it is more ſo

when I conſider, that, in the intercourſe of my profeſſional life, I have had frequent occaſion to ſee that perſon diſcharging duties in another place, in a judicial and legiſlative capacity: I have often had the honour, and I will ſay too the ſatisfaction, to addreſs him in that ſtation. Gentlemen, I can aſſure you that I ſpeak with no perſonal feelings againſt the Biſhop; they are all naturally on the other ſide. But what is more, I can aſſure you that my inſtructions are, to conduct this cauſe in a pure ſpirit of temper and moderation, ſuch as I have already deſcribed to you.

Gentlemen: This is not the only time that dignitaries of the church have been indicted, and found guilty. Gentlemen, you have but to look back to the bead-roll of the ſtate trials, and you will find many inſtances of the ſort. You have but to reflect a few years back, to the ſituation of this court, when a perſon, upon an indictment, removed in the ſame manner, though not a biſhop, yet a dignitary in the church, was brought into this court, for reaſons ſimilar to thoſe which bring you now here to try this indictment. They who heard my learned friend * upon that occaſion, they who have read the hiſtory of that period, cannot forget the uninterrupted ſtream of ſplendid eloquence and of powerful ability, which has been rolling on, with encreaſing force, from that period to the preſent moment, which was then almoſt in its infancy, exerted in a queſtion ſimilar to that in which I have now the honour to addreſs you. Not ſimilar in one reſpect, I admit, becauſe he at that time ſtood as he now does not, for the Defendant; but ſimilar in this reſpect, that it ſhews you that there was, within our own memory, in this very place, a proſecution of a church dignitary for a miſdemeanor, as there is upon the preſent occaſion.

* Mr. Erſkine.

Gentlemen,

Gentlemen: I will ſtate plainly why this queſtion is tried, and why you are called to deliver a verdict upon it. It is in the firſt place upon the principles of public juſtice, in order that the juſtice of the country may be ſatisfied. The proſecution is likewiſe proceeded in, on another principle, which I am ſure I am warranted by the law of the land to ſtate as a ſound principle: it is founded in an honeſt, fair, juſtifiable attempt, upon the part of this Proſecutor, to vindicate his own character through the medium of this proſecution. I ſay, when I aſſert that to you, I ſtate a legitimate ground of proſecution, and one that is conſiſtent with the laws of the country: for it is in the power of any individual to uſe the name of His Majeſty for the purpoſes of public juſtice, aye and for the purpoſe of vindicating his own character and reputation. That is done every day in the caſe of libel, and may equally be done in the caſe of aſſault or riot.

The ſituation of this Proſecutor was, and is, that of a perſon, who, by induſtry in his profeſſion, and by induſtry in the different ſituations which he held in the part of the country where this offence was committed, gained to himſelf a livelihood. He found himſelf at once in the eye of that Public where he lives, in the circle of that community and ſociety to which he belongs (if he did not take ſome method of bringing this matter forward to the public obſervation of the country, and of bringing theſe Defendants forward to receive the public juſtice of the country) in the riſk of being, in all probability, deprived of the honeſt earnings of his induſtry, and of the ſituations which he held for the benefit of himſelf and the ſupport of his family.—Theſe are the principles upon which this proſecution is brought forward; theſe are the principles which do not at all involve any thing of a vindictive ſpirit in them; they are principles upon which

every honeſt man daily acts; they are principles upon which every honeſt man may legally act. Who could have blamed Mr. Grindley if he had brought an action of damages againſt the Biſhop, for the injury he has ſuffered? What is the ſituation in which he ſtands here—not bringing an action for damages indeed, but preferring an indictment? And I will venture to ſay, that, under the circumſtances of this crime, and agreeably to the matter charged in this indictment, a proſecution leaves the Defendants more ample means, and a better mode, of defending themſelves, than if an action had been brought, and they had been put to plead a juſtification to that action. Theſe are the points to which I wiſh to call your attention, in order that your minds may come coolly, deliberately, and without prejudice, to the trial of this cauſe.

Gentlemen: The indictment, as you have heard, ſtates, that the parties upon this record were guilty of a riot, by entering into, and doing certain acts in the office which belonged to the Proſecutor, as Deputy Regiſtrar of the Dioceſe of Bangor. It ſtates nothing but a riot. There is no count in this indictment ſingly for a common aſſault, although it is the common mode, in drawing indictments of this ſort, to conclude with the charge of a common aſſault, with a view of ſecuring a verdict, in caſe the facts ſhould not come up to the proof of a riot. I wiſh to call your attention particularly to this, becauſe it ſhews, there was no ſpirit to catch, by a hair, theſe parties, for conduct, which if it does not amount to a riot, is not the ſubject of which this Proſecutor means to complain.

It is neceſſary for me (and I ſhall do it very ſhortly indeed, before I enter into the ſtate of facts which I muſt lay before you) to explain the law upon the ſubject of riot. There are various offences which people commit, congregated together, which receive different denominations in law,

law, from the ſimple offence of an affray, up to that of a riot; which it may be well for you to know, in order that you may be able to apply the evidence when you come to hear it. The caſe of an affray, is a matter which ariſes accidentally, without any premeditation or intent. The next in order, is an unlawful aſſembly: That offence conſiſts in perſons aſſembling together, to do ſome act reſpecting private property (not concerning the affairs of the public) and ſeparating without doing any act whatever. There is another caſe, commonly denominated a rout, which is, advancing towards the act, without arriving at it. The higheſt in order, is a riot; in which there muſt be theſe ingredients: In the firſt place, there muſt be three or more perſons engaged in it; in the next place, there muſt be an intent and purpoſe in the parties to commit a riot; and in the third place, it is eſſential that it ſhould have for its object ſome matter of private concern. When you come to hear the evidence, you will always bear this definition in your mind; which I am ſatisfied my learned friend will not contradict, and I am equally ſatisfied my Lord will ſupport me in, when he comes to addreſs you.

I pledge myſelf, then, to prove, that the Biſhop of Bangor, and the other Defendants upon this record, were guilty of that which I have laſt deſcribed—that there were three or more of them—that they committed a riot, in a matter reſpecting private property, and that they had an original intent and purpoſe in the act which they did. With regard to the intent and purpoſe, you will always obſerve this—that, intent and purpoſe may either ariſe from the facts and circumſtances that exiſt at the time of the tranſaction, which by inference eſtabliſh a neceſſary preſumption of an original intent; or, it may be made ſtill more palpable to you, by ſhewing a line and tiſſue of conduct which neceſſarily

rily involves that intent and purpoſe, and therefore renders preſumption unneceſſary, by giving you clear, demonſtrative, decided proof, ariſing from the acts and tranſactions of the parties eſtabliſhing a premeditated deſign, intent, and purpoſe, in the acts which they did. You will find that this laſt obſervation will apply, moſt materially and forcibly, to the evidence I am about to lay before you, and the circumſtances I am about to recite.

I profeſs, Gentlemen, again and again, that I have no object in view, but making you underſtand this caſe; and if, in the courſe of my addreſs to you, I either elevate my voice, or give into a manner of action that is contrary to the utmoſt moderation, I truſt you will attribute it to habit, and not to intention.—I have no wiſh but coolly, deliberately, and calmly, to make you maſters of the facts, the circumſtances, and principles, upon which this important cauſe muſt be decided.

Gentlemen: I have already ſtated to you, that the Proſecutor of this cauſe was Deputy Regiſtrar of the conſiſtorial Court of the dioceſe of Bangor.—It is eſſentially neceſſary that I ſhould make you acquainted with the nature of that office; and not only that you ſhould become acquainted with the nature of the offices of Regiſtrar and Deputy Regiſtrar, generally, but that you ſhould likewiſe be made acquainted with the particular circumſtances and local ſituation of the Proſecutor and his office.

The Deputy Regiſtrar is appointed by the Principal Regiſtrar.—The general nature of the office of Regiſtrar is, that he has the cuſtody of all the archives and muniments that relate to the ſpiritual court of the dioceſe; that is, he is to regiſter all the acts of a juridical nature; and he is beſides *that*, the Regiſtrar of all the wills and teſtaments of the perſons who die within the dioceſe. So that, you obſerve

ſerve, it is an office of great importance, and extending to the intereſt and property of a vaſt portion of the community; that it is an office, where the ſafe cuſtody of the different archives and muniments is of the utmoſt conſequence.—Certainly, according to the law of the land—according to decided caſes to which, if it is neceſſary, I can refer his Lordſhip, it is competent to appoint a minor to the ſituation of Regiſtrar; and accordingly, the preſent Biſhop of Bangor, upon the reſignation of the former Principal Regiſtrar, did appoint a Nephew of his, a minor, to be Principal Regiſtrar.—As it is competent to the Biſhop to appoint a minor to be Principal Regiſtrar, ſo it is equally competent that that minor ſhould, by ſome mode, appoint a Deputy.

The reaſon why a minor can, in this caſe, deviate from the general rule of law, and do an act appointing a Deputy, is, becauſe it follows, from neceſſity, that the buſineſs of the office of Regiſtrar muſt be diſcharged. If the minor could not appoint, of courſe the duties of the office could not be diſcharged, and therefore, *ex neceſſitate rei*, from the neceſſity of the caſe, the minor is at liberty to appoint a deputy. But the power of the minor goes no further—there the law ſtops. The general rule of law is, that a minor can do no act—that he has no will, becauſe he is not ſuppoſed to have underſtanding to act for himſelf. The exception, in this particular caſe, is, that the minor does act for the purpoſe of appointing his deputy; but the neceſſity goes no further. I have it in my power to ſtate to you, from a very recent deciſion, as well as from the very nature of the thing itſelf, that this Regiſtrar cannot remove his Deputy; for in this very caſe an application was made to the Court of King's Bench (and though this may be tedious, it is an important part of this buſineſs) an application was made to the Court of King's Bench for a

 mandamus,

mandamus, calling upon the preſent Proſecutor, Mr. Grindley, to deliver over to a perſon, of the name of Roberts, all the muniments within his power, and to deliver up to him likewiſe the keys of his office, and thereby give him poſſeſſion of the place where the buſineſs is conducted, and where the muniments are preſerved.—The reſult of that application, for the order of the Court to compel this to be done, was, that it was denied by the Court; and I have the authority to ſay, from thoſe who heard it, that the ground upon which it was denied was this: My Lord Kenyon was of opinion, that it was eſſentially neceſſary to apply to the Court of Chancery, to appoint a proper guardian for the minor, that there might be ſufficient authority to appoint another Deputy Regiſtrar in the ſtead of Mr. Grindley; but that he, being in poſſeſſion of this office, and Mr. Roberts not ſhewing a right to the poſſeſſion of the office, it was impoſſible for the court to grant the order applied for.

I have then eſtabliſhed clearly, in the firſt place, that Mr. Grindley was in poſſeſſion of the office; In the next place, that there was no legal power to remove him. Conſequently, although from neceſſity, the minor may appoint in the firſt inſtance, yet, if the office of Deputy Regiſtrar is properly diſcharged, that neceſſity not exiſting for the removal, the Deputy Regiſtrar muſt remain until the Principal arrives at the years of majority; or until he has ſuch a guardian appointed by the Court of Chancery, as is capable of acting in ſuch a ſubject matter.

Gentlemen: There is one other circumſtance I wiſh to ſtate reſpecting the law upon this ſubject—Namely, That where a Regiſtrar is appointed by the Biſhop, and a Deputy appointed by the Regiſtrar, and the Principal Regiſtrar is a perſon not in a ſituation to act, that there is no power and authority, on the part of the Biſhop, to remove the Deputy

Regiſtrar. The Biſhop, by law, has no power or authority whatever to remove the Regiſtrar or Deputy Regiſtrar, except in the following manner. If the Regiſtrar, or his Deputy, does any act or acts which are, in their nature, contrary to law; if they do not act conſiſtently with the duties of their office, then in that caſe, undoubtedly, the Biſhop may ſuſpend, but his ſuſpenſion is confined to 'a year or more;' and it has been decided, that the words, 'or more,' do not extend indefinitely to any period, but muſt be confined to a reaſonable period ſubſequent to the year. Gentlemen, I beg you will bear this poſition of law in your mind, becauſe you will find, throughout the whole of this cauſe, that the Biſhop has had no fault whatever to find with Mr. Grindley, in the diſcharge of the duties of his office; for he has never thought him amenable to his juriſdiction for the purpoſes of ſuſpenſion; that he muſt have conceived, therefore, that in the diſcharge of the duties of his office, he has acted like an honeſt, faithful guardian of his public truſt. If he had not done ſo, would not this Biſhop, who, as I ſhall prove hereafter, attempted firſt by art, and afterwards by force, to remove him from that ſituation, would he not have made uſe of his ſuſpending power? Would he not, near the period of the Minor Regiſtrar coming of age—which would have been in leſs than a year from theſe tranſactions—would he not, I ſay, have ſuſpended him for a year or more, in order that the truſt might not have been diſcharged improperly? by which means, the minor, when he arrived at that age of twenty-one, when he would have the free exerciſe of his own will, might, according to law, have exerciſed the power of amotion over his Deputy at his pleaſure, without aſſigning any cauſe whatever for the removal.

Gentlemen: It is material, in the diſcuſſion of this cauſe, and moſt material to your underſtanding the

 evidence,

evidence, that you ſhould know the particular ſituation of the office; I mean the local ſituation of the place in which the muniments and records are kept. It is, as I underſtand, built adjoining to and upon the cathedral church of Bangor: there is a flight of ſteps riſing to it, and you go through a porch, on which there is an outer door. Having got within the porch, there is an inner door opens to the regiſtrar-office; the office is directly oppoſite to the Biſhop's palace; there is nothing but a court yard between them; and it is ſo near, that every voice perhaps may be heard from the one place to the other; of that however, I am by no means certain, but it certainly is within ſight of the Biſhop's palace, adjoining to and built upon the cathedral.

I have ſtated the duties of this office; I have ſhewn you that they are grave and ſerious duties: I have ſtated the reſponſibilities of this office; I have ſhewn they are grave and ſerious reſponſibilities: I have ſtated the nature of the muniments kept in this office, and the place in which they are kept: And I contend, I think, without the hazard of contradiction by my learned friends, that the perſon who was thus appointed Deputy Regiſtrar, was irremoveable, except by the mode of ſuſpenſion by the Biſhop, in the manner I have mentioned. He was not removeable by the minor, but through the medium of a guardian, which guardian muſt be appointed by the Court of Chancery. The Deputy Regiſtrar, thus inveſted with this office, ſo charged with thoſe duties, and theſe reſponſibilities, had as good a right and title to poſſeſs that office—to poſſeſs the houſe or place which I have deſcribed, to maintain it, to take it again if it was taken from him, and to defend himſelf in it, as any Engliſhman has to defend his houſe, which is emphatically denominated his caſtle. It is impoſſible to compare it more accurately. All the circumſtances that belong to the ſanctuary of an houſe, belong to the

ſanctuary

ſanctuary of this office. The ſanctuary of our houſe is for our repoſe, quiet, and ſecurity; it is, that we may protect our families: the ſanctuary of this office is not that the family of an individual may be protected, but is for the protection of the intereſts of an extenſive community; it is, that all the deviſes of perſonal eſtates, that all the records in the office of a legal and a judicial nature, that all the intereſts of a large and important dioceſe, may be protected. Then, all the arguments for a man's maintaining and defending the poſſeſſion of his houſe, apply infinitely ſtronger to an office charged with ſuch reſponſibilities. It is impoſſible that he can ſecure, it is impoſſible that he can maintain that, which is eſſential for him to juſtify his conduct towards the public, without maintaining poſſeſſion of the building, where theſe things are preſerved; and every perſon who attempts to treſpaſs upon it, is a treſpaſſer in the eye of the law; every perſon who makes a riot in it, is amenable to the juſtice of his country.

I have deſcribed the ſituation of this office; it is built adjoining to the cathedral; the wall of it runs into the wall of the cathedral.—I have deſcribed the nature of it; it is a ſpiritual office.—Is it poſſible that any thing can amount more nearly to the deſcription, which the great Roman orator gave as the definition of a houſe: "Quid enim ſanctius, "quid omni religione munitius, quam domus unius, "cujuſque civis?" What can be more holy? What can be more protected by every principle of religion?—This is a ſpiritual office—this is a ſpiritual office carried on in a building annexed, in local ſituation, to the cathedral church. Thus annexed by duty, and annexed by ſituation, it falls in preciſely with the compariſon I have made; and ſhews you, that this gentleman, Mr. Grindley, was bound, for his own ſake, for the ſake of the public, with whoſe intereſts he was intruſted—for the ſake of the community

munity of the dioceſe to which he belonged—by the ſacred ſituation of the place of office, to poſſeſs, and protect his poſſeſſion in it, that the muniments and the archives might be preſerved.

Gentlemen: I am ſorry I have detained you ſo long in the preliminary part of this caſe, I hope, however, I have not wandered, but have confined myſelf accurately to the queſtion before you. I think I have done no more than laid that ground, which is neceſſary for your underſtanding the facts. And I now come to ſtate to you, preciſely and accurately, what the nature of theſe facts is. I told you, originally, that I aim only at diſtinctneſs. If I have that quality, I have every thing I can wiſh. In order to be diſtinct, and in order to ſhew you with what mind and intent this riot was committed, I anxiouſly entreat your attention to the commencement of the connexion between Mr. Grindley and the Biſhop of Bangor.

Early in the year 1792, Mr. Grindley was appointed Agent for the Biſhop of Bangor. In the month of February of that year, the Biſhop appointed his Nephew, a minor, to the ſituation of Regiſtrar of the conſiſtorial court of the dioceſe. In the month of March 1792, Mr. Grindley was appointed Deputy Regiſtrar. He continued to act in the ſituation of Deputy Regiſtrar, down to the year 1794, when, for the firſt time, he ſaw the minor, who confirmed the appointment, and who treated him as his Deputy Regiſtrar. The bargain was, that Mr. Grindley was to pay his Principal ſeventy pounds a year. He diſcharged the regular payments. He continued to act in his office, without any offence to the Biſhop; and that he had committed no offence in his office is clear, otherwiſe he, the Biſhop, muſt have ſuſpended him. He continued, I ſay, to act in the diſcharge of the duties of his office, down to the autumn of 1795.

Here

Here then begins the hiſtory which gives origin to this proſecution.

The approach of the general election led the Biſhop of Bangor to think, that he might, perhaps, be ſerviceable to ſome of his friends; and he thought thoſe immediately under him were likely to be influenced by him. He applied to Mr. Grindley, for his intereſt in the county of Caernarvon. His application did not meet with the reception, or with the anſwer, he expected. Mr. Grindley thought, as I hope every Engliſhman thinks, that he had a right to the free exerciſe of his franchiſe, and the free exerciſe of his influence; but although he thought ſo, I can aſſure you that he behaved with great temper and moderation. Mr. Grindley now found, that his connection with the Biſhop became a connexion that was not ſo comfortable, if they were not to agree in their election intereſts; he thought it right, therefore, to reſign the office of Agent to the Biſhop; and he accordingly reſigned his place of Agent in the month of January. At the time he did ſo, he ſignified expreſsly, that on the 22d of February he would reſign the office of Deputy Regiſtrar. Now could any thing be more moderate?—You may perhaps aſk, why he did not reſign the office of Deputy Regiſtrar at the time he reſigned the ſituation of Agent? The reaſon he aſſigned was this, and it is a valid and ſubſtantial reaſon—that his year of appointment as Regiſtrar ended upon the 22d of February 1796; that by retaining the office till that time, he ſhould be enabled to make up his accounts, to ſettle all his buſineſs, and then he would quietly take his departure from it.—Could any thing be more moderate, could any thing more be wiſhed for by the Biſhop? If this Regiſtrar had become obnoxious to him, becauſe he did not obey him in matters with which the Biſhop, I muſt ſay, ought to have had no interference, either as a Biſhop or as a lord of parliament; if he wiſhed to get rid

of

of Mr. Grindley, might he not have had that patience which ought peculiarly to belong to the character of thoſe, who appear as Defendants upon this indictment? Might he not have had patience for but a little month, till the Deputy Regiſtrar voluntarily reſigned his office? There is ſomething in this conduct of the Biſhop, which it is almoſt impoſſible to account for, unleſs one were to dive into thoſe ſpeculations, which have led one to know what the motives, and what the feelings of men are, in different ſituations of life, and in different characters in ſociety.

I recollect a very profound and a very wiſe ſaying, equally true as wiſe, with reſpect to the Clergy. It was ſaid of them, "That they had "found, what Archimedes only wanted, another "world, on which to fix their fulcrum, by which "they moved this world at their pleaſure."—That ſaying will go far to expound this conduct. In all ſpiritual matters, it is a wiſe, a juſt, a true maxim, calculated to ſhew the true principles upon which the Clergy poſſeſs, and truly and juſtly, and eminently and beneficially to the ſociety in which we live, poſſeſs that influence upon mankind, which ought to belong to their character and ſituation in all ſpiritual affairs. But when they travel from ſpiritual to temporal concerns—when they quit the affairs of the other, and look only to the concerns of this world; when they interfere in politics above, or in elections below, then that character, which directs their influence in the clerical function, unfortunately follows them into their temporal concerns. If they are diſappointed, they cannot brook it. They have been taught to regard mankind as perſons whom they are to govern at their pleaſure—they are incapable of ſmoothing the matter over, as men, more accuſtomed to the ordinary concerns of life, are; and their ſpiritual power uniformly follows them into temporal concerns, if they are imprudent enough

enough to mix in them.—This is vouched by the hiſtory of the world, in all ages; it is vouched peculiarly by the hiſtory of this country.—Who ever heard of Sherlock or Lowth interfering in ſuch matters? No! They were enabled to move this world at their pleaſure, becauſe their lives were ſpiritual and holy.—Who has not heard that Woolſey and Laud were of a different character and deſcription? The Ego et Rex meus of Woolſey, and the violence of Laud, againſt the privileges of the people of England, are equally to be collected from that witty, wiſe, and juſt maxim to which I have alluded. Such is the ſituation of the perſons concerned.——Gentlemen: It does not ſignify whether the ſcene is in the world at large, or in the county of Carnarvon; whether it is tranſacted in the palace of Whitehall, or in the church-yard of Bangor. The ſame cauſes, in the hand of the Supreme Being, directing this world to its good, will always produce the ſame effects; and I cannot account for the Biſhop not having accepted of this moderate, of this attentive, of this happy propoſition (I might almoſt ſay, if it had been accepted) of the Deputy Regiſtrar, but that he had deviated, from what he does not, I am ſure, often deviate from,—from ſpiritual to temporal concerns;—that he had forgot the concerns of that pure and humble religion, of which he is an eminent paſtor, and that he had been drawn aſide by the peculiar intereſts of friendſhip, by the ſtrong ties of connexion, or by ſomething elſe, in order to act in the manner which I have deſcribed to you.

In fact, the reſignation has not been made at all; and the tranſactions, which I am about to relate, will prove the reaſons why it has not been made; will prove, that it was not poſſible to have been made with ſafety. Mr. Grindley found, the Biſhop had become hoſtile to him; he found, he was no longer ſafe in reſigning it into hands, that

could not legally accept the reſignation; he found, he could not have that confidence, which would have taken place, if it had been left to his own freedom and choice; and that, after he had reſigned into the hands of a minor, he would, in point of law, have retained all the reſponſibilities of the office, without being, in fact, in the office, to diſcharge the duties: —Therefore it is, he has not reſigned the office. But the tranſaction which I am about to ſtate to you, and I am now come to the real queſtion in this cauſe (though I humbly think, under his Lordſhip's direction, that nothing I have ſaid is irrevelant to the cauſe) the tranſaction I am about to ſtate to you, will unfold the whole.

Between the fourth and the eighth of January, 1796, which you ſee was a month previous to the term of the propoſed reſignation, theſe tranſactions took place.—Firſt of all, the Biſhop, in the abſence of Mr. Grindley the Deputy Regiſtrar, ſent for the ſeals; and he obtained one ſeal. I think the other ſeal Mr. Grindley's clerk had not in his poſſeſſion, and it was not delivered.—This was intimated to Mr. Grindley; and Mr. Grindley imagining that the Biſhop, having obtained one ſeal, might poſſibly attempt to obtain the keys, he therefore, being at that time in Angleſey, wrote to his clerk to beware not to give the Biſhop the key of the office if he aſked for it. The Biſhop did aſk for it; and was refuſed.— Upon the 7th of January Mr. Grindley returned. He found that his office had been broken into. He aſcertained, as I ſhall prove, from the Biſhop's own mouth, that the Biſhop had given directions to break open the window of the office, to take the locks off the door, and put on other locks.—In this ſituation Mr. Grindley found himſelf, reſpecting an office, for the duties of which he was legally reſponſible; for he is, both in law and in fact, Deputy Regiſtrar, and has been ſo from the year 1792,

down to the preſent time, without any attempt to caſt a ſlur on his character in the diſcharge of his duties.

Gentlemen: I come now to the principal facts; and I can aſſure you I will act in the ſpirit which I profeſſed at the outſet. I wiſh to ſtate every thing candidly to you; I have nothing to hold back. I do not mean to ſay that, upon every occaſion, it is poſſible to juſtify perſons in their tranſactions for moderation and for prudence; and yet I think, when you examine the tranſactions of Mr. Grindley, you will ſee, under all the circumſtances, that they were neither immoderate nor imprudent.—Mr. Grindley's offer of reſignation had been ſcoffed at, had been rejected. He had been treated in ſuch a way as to make it natural to ſuppoſe that he would be expoſed as a culprit, in the diſcharge of his duty, to the whole community to which that duty appertains. He found, that it was eſſentially neceſſary for him to know in what ſtate the muniments and archives, which he alone had a right to the poſſeſſion of, were.—He found the means of entrance debarred, and therefore he determined to get admiſſion to the office; and having got admiſſion to the office, he determined to maintain himſelf in the poſſeſſion of it; as he had a right to do.

In the morning of the 8th of January, Mr. Grindley went to the office, with the means of getting admittance into it.—You will obſerve, that the firſt attempt to get poſſeſſion of the office had been on the part of the Biſhop. You will always recollect, that the Biſhop has no earthly right to the poſſeſſion of the muniments of that office, as long as the Regiſtrar properly diſcharges the duty of the office. He has no right to keep the Regiſtrar out of his office, but the Regiſtrar has a right to keep all mankind, except thoſe who come upon buſineſs, out of the office, and except the Biſhop when he comes in the diſcharge of his duty as

Biſhop of Bangor.—Mr. Grindley imagined, from the violence that had taken place before, that is to ſay, from the violent breaking into the office originally, and from the offer of compromiſe on his part being totally rejected, from his offer of reſignation being rejected, he imagined, and it was natural ſo to imagine, that he would have force oppoſed to force, when he once got poſſeſſion of his office, and therefore, undoubtedly, Mr. Grindley went provided, ſo as to ſecure himſelf againſt the poſſibility of that force depriving him of his office.—Gentlemen: I inſiſt, that when he was in poſſeſſion of his office, he had a right ſo to do. All this will be proved—I ſay it will be proved; becauſe I know Mr. Grindley, who is the firſt witneſs, is a perſon beyond the ſuſpicion of not acting agreeable to his oath.—The oath is, "that he ſhall ſpeak the truth, the whole truth, and nothing but the truth."—It has been uniformly expounded, that a perſon, who does not ſpeak the whole truth in a court of juſtice, is as criminal as he who ſpeaks a direct falſhood.—I feel myſelf bound in duty and in conſcience, as an advocate, to ſtate to you the whole truth; and Mr. Grindley is a man of that conſcience, that he will ſpeak the whole truth in the manner in which the thing happened.—It will then be for you to judge, under all the circumſtances: And I think that, whatever opinion you may form with regard to Mr. Grindley's raſhneſs in his manner of getting poſſeſſion of the office, and his determination to maintain poſſeſſion of it, that you will be convinced, that the Biſhop and thoſe indicted, were in fact guilty of a riot, for endeavouring to get poſſeſſion of it, and coming and interrupting him in the manner I ſhall deſcribe and prove.

Mr. Grindley went with piſtols in his pocket; but it will be proved, theſe piſtols were unloaded.—Now I can aſſure my Friends (whatever geſtures they may make) that I am not in the leaſt afraid of

of this fact.—I ſay, his going with unloaded piſtols, proves, that he had, in regard to getting poſſeſſion of the office, no intent of offence whatever.—He took powder and ſhot, with which, when he got poſſeſſion, he loaded his piſtols. This proves that he was determined, being in peaceable poſſeſſion of his office, to maintain that poſſeſſion; and I contend, that the Deputy Regiſtrar of the dioceſe, under the circumſtances I ſtate, had a right ſo to do.—I ſay, that every argument, every fact which applies to the caſe of a man's own houſe being his caſtle, applies to this caſe——Mr. Grindley, after he had opened the outer door in the porch, in order to prevent any riot, and for the purpoſe of intimidation, threatened one of the perſons who came from the Biſhop's houſe to interrupt him, with an unloaded piſtol; for it will be proved, that the piſtols were loaded at a ſubſequent time. After this firſt attempt to diſturb him, there was a conſiderable interval; and during this interval Mr. Grindley got into the inner door. Mr. Grindley being thus in the office, the Biſhop and various of his ſervants arrived. The Biſhop hollowed with a voice ſo loud (as will be proved to you) that Mr. Grindley did not know it; his paſſion was ſo vehement, that it was abſolutely impoſſible to diſtinguiſh his voice. The moment Mr. Grindley knew it was the Biſhop, he ſaid he had no objection to the Biſhop's being let in, and he deſired his ſervants quietly and peaceably to retire to a further corner of the room. Mr. Grindley then came forward, and ſaid, that whatever buſineſs was to be done, he was ready to do it; that he conſidered himſelf as the legal officer, and he was then in the quiet poſſeſſion of his office; that with regard to his Lordſhip, he was perfectly willing he ſhould come into the office, but he begged that his Lordſhip's boiſterous and tumultuous conduct might ceaſe.—I really wiſh, rather that the witneſſes ſhould deſcribe what paſſed afterwards, than that I ſhould.—But inſtead of that tumultuous conduct ceaſing, the Biſhop approached

proached firſt to Mr. Grindley, afterwards to his ſervants, with threatening geſtures, and with threatening words, laying his hands upon them; and he was aſſiſted by the four other perſons indicted, who afterwards came into the office, whoſe actions and words were preciſely of the ſame kind and deſcription.

Gentlemen: One of the grounds of riot which you have to try, is this, That here was a perſon, legally entitled to the poſſeſſion of his office, illegally forced from that office; he takes poſſeſſion of this office, and remains in the quiet poſſeſſion of it. Now, whether he did ſo in a manner that a perfectly calm and unconcerned ſpectator may approve of, as an abſtract caſe, I do not know; but I am addreſſing myſelf to perſons who have human paſſions; I am addreſſing myſelf to Gentlemen, who know what human nature is; and I am ſure, that in an outrage of this ſort, committed after a voluntary offer of reſignation, ſuch as I have ſtated; after a conduct ſo peaceable and quiet, even a worm, if trod upon, would have turned again.——Mr. Grindley gets quietly into the poſſeſſion of his office, and then, after a lapſe of time, this office is again attacked in the riotous, in the tumultuous, in the extraordinary manner, which the witneſſes will ſtate, but which I forbear detailing, becauſe, in the firſt place, it is unneceſſary for your underſtanding the cauſe, and in the next place, it is painful for me to ſtate it. This diſturbance went on a conſiderable time, and at laſt it ended only by perſons, whoſe ſex and character I have too great a reſpect for, to introduce them into this cauſe, more than juſt to ſay, that by the intervention of Mrs. Warren and two ladies, the Biſhop was at laſt quieted from his paſſion, and withdrawn from the riot. There the buſineſs ended. Gentlemen:——This is the cauſe which you have to try; and I think I can venture to ſay, that if the facts are proved in the manner I have deſcribed,

and

and I take upon me to ſay I have ſtated them moſt correctly, that it is impoſſible for you not to find a verdict for the Proſecutor.

Gentlemen: It would be in vain, and an abſurd thing in me, to detain you with any particular addreſs to yourſelves. I have the honour of knowing hardly any of you perſonally, although among the Jury there are ſome gentlemen whom I have had an opportunity of ſeeing in another ſcene in life. I know your characters; and I know, that however you may feel yourſelves bound to protect the Miniſters of our Church, though I think this proſecution can have no effect upon any but the particular Churchmen engaged in this tranſaction, that you will yet guard yourſelves againſt deviating from thoſe principles, according to which you are bound to act, and that you will find according to the evidence.

Gentlemen: There is no principle implanted in the human mind, ſtronger than the ſympathy which we feel for the ſituation and ſufferings of perſons of high rank and condition: it is one of thoſe principles that binds ſociety together; and is moſt admirably infuſed into our nature, for the purpoſes of good government, and the well-being of civil order. But whatever the rank may be, that rank can never ſtand between a defendant and the proof of the fact, with a Jury of Engliſhmen. They know their duty too well: neither compaſſion, ſympathy, nor any other principle, can poſſibly affect their minds. Conſider, what is the peculiar ſituation of theſe Defendants; reflect, that they are ſet apart by the laws of the land, and the regulations of the Chriſtian religion, for the purpoſe of preaching the doctrines of Chriſt. Our law has been ſo peculiarly cautious with reſpect to their character, that even when it impowers the civil magiſtrate to quell a riot by calling to his aſſiſtance every other member of the community, it peculiarly excepts, with women and children, the clergy. I have brought before you perſons of that deſcription, who

inſtead

inſtead of claiming an exemption from being called upon, have themſelves been guilty of a riot; for which they are juſtly amenable to the laws of their country.

[*The Witneſſes were examined apart at Mr. Erſkine's requeſt.*]

Evidence for the Proſecution.

Mr. Samuel Grindley (ſworn.)

Examined by *Mr. Manley.*

Q. Were you, at any time, and when, appointed agent to the Biſhop of Bangor?

A. I was.

Q. When?

A. In the month of February, 1792.

Q. Were you, at any time after that, appointed to any other office?

A. About the ſame time.

Mr. Erſkine. That muſt be proved by the appointment itſelf.

Mr. Manley. Did you, in point of fact, fill any other office than that of agent, under the Biſhop of Bangor?

A. Yes, I did.

Q. What was *that?*

A. Not under the Biſhop—under Mr. Gunning I held the office of Deputy Regiſtrar.

Q. When did you firſt begin to hold that office?

A. About the 14th or 15th of February, 1792.

Q. Did you continue to diſcharge the duties of that office?

A. I

A. I continued to discharge the duties of that office till the 22d of February last.

Q. Where did you discharge that office?

A. At the Registrar's office, adjoining to the cathedral church at Bangor, in the county of Carnarvon.

Q. You said you were appointed Deputy to Mr. Gunning?

Mr. Plumer. He did not say *that.*

Mr. Manley. You acted in the office?

A. Yes.

Q. Did you ever see Mr. Gunning after *that?*

A. Yes, the latter end of September, or the beginning of October, 1794.

Mr. Plumer. Which Mr. Gunning?

A. The Registrar.

Mr. Manley. Had you any conversation with him?

Mr. Erskine. Any conversation with him?

Mr. Manley. Did you pay any money to the Registrar?

A. Not to himself.

Q. Did you pay any upon his account?

A. I paid to the Bishop of Bangor, on the Registrar's account——

Mr. Erskine. I am sorry to trouble your Lordship—I do not know that it is very material that I should do, what I am about to do; but we ought to adhere to the rules of evidence.

Mr. Manley. I will put it out of all question—In whose name was the office of Registrar held?

Mr. Justice Heath. Ask him who was in possession of the office of Registrar?

A. Mr. Gunning, a minor.

Mr. Manley. You paid ſeventy pounds a year to the Biſhop, on account of Mr. Gunning the younger?

A. Yes.

Q. Did the Biſhop know you paid him that ſum on account of Mr. Gunning the younger?

A. Yes.

Mr. Erſkine. Mr. Manley ought to recollect there are other defendants upon this record, beſides the Biſhop of Bangor—if you would prove that this man was in poſſeſſion of the office, be it ſo, I have no objection to *that*; but you cannot go on further than *that*, to prove that he had the legal appointment of Regiſtrar.

Mr. Manley. You ſaid the Biſhop made the bargain between you and Mr. Gunning, reſpecting the Regiſtrarſhip?

A. He did.

Q. What was the bargain between you and the Biſhop?

A. The Regiſtrar before Mr. Gunning, it was thought, gave a hundred pounds a year: I mean was paid a hundred pounds a year.

Q. What were you to pay?

A. Seventy pounds a year to the Regiſtrar.

Q. In conſequence of that bargain, did you enter upon your office as Deputy?

A. Certainly.

Q. Did you fill that office up to the 22d of February laſt.

A. I did.

Q. Did you continue to pay that ſalary, ſeventy pounds a year, from the time of your becoming Deputy?

A. I did, till the 22d of February laſt, and then I offered

I offered to pay that to any perſon who could receive it.

Q. Did you afterwards ſee Mr. Gunning, the Regiſtrar?

A. Yes.

Q. Had you any converſation with him?

Mr. Erſkine. Converſation with him—why don't you call him?

Mr. Manley. Was it in the Biſhop's preſence?

A. Yes.

Q. When was it?

A. I think in the latter end of September 1794, or the beginning of October.

Q. Relate what paſſed between you and Mr. Gunning, in the preſence of the Biſhop?

A. The Biſhop brought Mr. Gunning to me, and told me he was his nephew, the Principal Regiſtrar, and introduced him to me as the Principal Regiſtrar, and introduced me to Mr. Gunning as his Deputy. Of courſe, I had ſome converſation with the Regiſtrar; he was then of about the age of ſeventeen; I aſked him if I gave ſatisfaction; he ſaid, I pleaſed his uncle, the Biſhop; that the Biſhop was ſatisfied, and of courſe he was perfectly ſatisfied.

Q. Was there any complaint of your not doing the duties of your office at any time?

A. None, that ever I knew of.

Q. Had you any complaint from the Biſhop, or any perſon?

A. Nobody laid that to my charge.—I ſaid, I paid what is called, the farming of the office, to the Biſhop; he ſaid, I know you do—I hope the office anſwers your expectation.

Q. In the year 1795, had you any converſation with the Biſhop reſpecting the approaching election?

Mr. Erſkine. Can this poſſibly have any relation to the queſtion—I object to it as totally irrelevant.

Mr. Manley. I am aſking the Witneſs to ſtate what paſſed between the Biſhop and him, relative to the election, to ſhew the motive upon which the Biſhop afterwards acted.

Mr. Erſkine. Your inſiſting upon the queſtion, ſhews the motive of the proſecution pretty evidently. —We are here upon an indictment for a riot, which is charged to have been committed upon the 8th of January, in the year 1796. For the purpoſe of doing that, which my learned friend moſt honourably and candidly diſavows, for the purpoſe of throwing dirt at the Biſhop, we are to begin about ſomething that paſſed relative to the election.

Mr. Juſtice Heath. All this is matter of aggravation; and matter of aggravation ought to be laid before the Court of King's Bench—let us ſee whether improper force has been uſed in the courſe of this buſineſs, ſo as to conſtitute a riot—this is for the conſideration of the Court, who is to pronounce ſentence, in caſe of a conviction.

Mr. Manley. Be ſo good as to deſcribe the ſituation of the place in which you conducted the buſineſs of the Regiſtrar's office?

A. The Regiſtrar's office is a building adjoining to the cathedral church at Bangor, under the chapter houſe, oppoſite the Biſhop's palace.

Q. How far diſtant from the palace?

A. About 150 yards diſtant—there is a flight of ſteps by which you aſcend to the outer door of the office—then you go into a paſſage, which they commonly call the hall.

Q. Did you employ your clerks in that office?

A. Always.

Q. Who had the keys of that office?

A. Generally the clerk that was there.

Q. Your

Q. Your clerk?

A. Yes.

Q. Did you pay that clerk?

A. Always—I had a reſident clerk there, and uſed to ſend other clerks to his aſſiſtance—I ſuperintended the buſineſs myſelf.

Q. You had a reſident clerk there, to whom you entruſted the key?

A. Yes.

Q. Had you made any offer, or did any converſation paſs between you and the biſhop, touching the reſignation of your office of agent?

A. I had.

Mr. Erſkine. This is totally irrelevant.

Mr. Juſtice Heath. The queſtion we have to try here, is the degree of force and violence.

A. It was my intention to reſign it on the 22d of February.

Mr. Manley. If we are to go by the ſtrict rule, I take it to be the cleareſt principle of law that can poſſibly be ſtated in a Court of Juſtice, that I have a right, as Counſel for a Proſecutor, if I inſiſt upon it, to ſtate every fact that is relevant to the cauſe, though perhaps, for the ſake of the convenience of the Court, it has been uſual to ſtate matter of aggravation only by affidavit: but if I inſiſt upon it, I take it to be a clear, ſettled principle of law, that I have a right to ſtate it; but I do admit that it has been the uſual practice, and of late years, within the reign of the laſt Chief Juſtice of England, it has been uſual to ſtate *that* by affidavit; but I believe the principle was never denied, that the party had a right, if he choſe ſo to do, to have every fact in evidence before the Court that is relevant to the cauſe: but I do not inſiſt upon it here. I merely mean now to aſk one or two ſimple queſtions touching

ing the reſignation of this office, which appear to me material to this cauſe.

Mr. Erſkine. I have no right, undoubtedly, to call upon the Proſecutor's Counſel to ſtate the courſe of their projected examination—my office is confined to taking an objection to any queſtion, that I humbly think is illegal. I agree with Mr. Manley, and do not wiſh to bind him down by the practice of this or that Chief Juſtice; I aſk no other limitation to him than the law of the land preſcribes at all times. I admit, that it is open to Mr. Manley, without aſking your Lordſhip's leave.—That your Lordſhip's juriſdiction does not extend to eſtopping him from aſking queſtions to any fact that is relevant to the Cauſe—Then, what is the Cauſe?—The Cauſe is not, whether this man had legal poſſeſſion of the office, or whether he by force had poſſeſſion of the office—whether the Biſhop of Bangor came into this office upon a legal or an illegal project.—The queſtion is not, *quo animo* the Biſhop came into this office, but whether he came, attended with thoſe circumſtances, and did thoſe acts charged upon this record, and which conſtitute a riot? That is the matter I came to defend. I do not know, except hearing from my learned friend, nor ever troubled myſelf to enquire, whether this man had any other collateral character than of agent to the Biſhop.

Mr. Manley. I abandoned the agency long ago.

Mr. Erſkine. Is there any queſtion before the Court?

Mr. Manley. The queſtion which I was about to aſk the witneſs was, whether he ever made any offer to reſign the office of Deputy Regiſtrar.—Did you ever make an offer to the Biſhop, to reſign the office of Deputy Regiſtrar?

A. I ſaid I would reſign on the 22d of February laſt.

Q. When was it you told the Biſhop that you ſhould then reſign?

Mr.

Mr. Erſkine. Was it not in writing that you made that offer to the Biſhop?

A. I am not clear whether it was in writing, or verbally.—I reſigned my agency in writing, but I am not poſitive as to the other.

Mr. Erſkine. I am poſitive, for I have got the letter.

Mr. Manley. You did, in point of fact, tell him you meant to reſign on the 22d of February?

A. Undoubtedly.

Q. Where were you on the 4th of January laſt?

A. At Lord Newburgh's.

Q. While you were there, did any thing happen?

A. I was ſent for by Lord Newburgh upon ſome private buſineſs. I deſired my ſervant to bring my letters after me that came by that day's poſt.

Q. In conſequence of letters received there, did you return to Bangor?

A. No, I was not at Bangor till the 7th.

Q. When you returned there on the 7th, had any thing happened at the office?

A. Yes; the office had been broke into.

Q. Do you happen to know, from converſation with the Biſhop afterwards, who had broke the office?

A. Yes, and from others.

Q. Who were the perſons who broke it?

Mr. Erſkine. Only tell us what you heard from the Biſhop?

Mr. Manley. Do you know from the Biſhop by whoſe orders the office had been broken open?

A. The Biſhop told me, in the preſence of my clerk, that it was broke open by his orders. He ſaid, it was done by his ſervants, by his directions; and one of his ſervants concerned in the breaking of it told me.

Q. Did you obſerve, from the outward appearance, how it had been broke into?

A. There was a window; the leads had been taken out and the glaſs had been taken down, and it appeared to me, that the perſons had got through the iron bars; and freſh locks were put upon the doors.

Q. Did you communicate to the Biſhop, that freſh locks had been put upon the doors?

A. I aſked my Lord if he knew any thing of it; he ſaid it was done by his directions.

Q. What ſteps did you take in conſequence of *that?*

A. I was exceedingly ſurprized—I did not know what to do for ſome time. At laſt I went to Bangor Ferry—I ſtaid there the night—it was late—I had papers of great value—I had ſtamps to the value of two or three hundred pounds left in the office; and I knew I was anſwerable for all the archives, wills, and other papers, that were there; and I thought I ought to be reſtored to the poſſeſſion of it as ſoon as poſſible. On the following morning, accompanied by my ſervants, we ſet off about nine from Bangor Ferry—we arrived at the office about ten—I had two clerks with me and three ſervants.

Q. When you arrived at the Office, were there any other perſons there?

A. No other perſons that I took notice of—none by my deſire.

Q. Deſcribe what you did?

A. I gave directions to force the doors open.

Q. Was the door forced open?

A. The outer door was forced open.

Q. Did you enter into the office after you had forced the door open?

A. I walked out at the door after I had forced that, and ordered my people to walk in and open the

the inner door—I walked out while they were doing it.

Q. Did they open the inner door?
A. Yes.

Q. Did the Biſhop, or any of the other Defendants, make their appearance there?

A. When I walked out of the office, I ſaw Mr. Thomas Jones, one of the Defendants—he came out of the Dean's garden, to the beſt of my recollection, and he walked into the office; into what we call the hall.—I did not expect any thing of the kind—he placed his back againſt the inner door, and endeavoured to prevent our entry.—I aſked Mr. Jones what he meant by *that*—he at laſt ſaid he meant to prevent our entrance—I ſaid, go about your buſineſs, Mr. Jones, you have no buſineſs here—he ſaid he had, it was his office—upon which I told my people.—I endeavoured, firſt of all, to take him and put him out of the door; but he ſtruggled and wreſtled with me a long time.—I did take him to the outer door, but could not do more—he put his hands againſt the door-way and I could not get him any further—he was in ſight of the Biſhop's palace and the ſervants, and called out to them to come to his aſſiſtance.

Q. Uſe the expreſſion he uſed.

A. He called out, *Here! come here!* or ſomething to that effect—When he called out, John Raſbrook, the Biſhop's houſe-ſteward, came out, and ſaid, Follow me!—and they all ran towards the office; but Raſbrook was much before the ſervants.

Q. Who were they that ran?
A. The Biſhop's livery-ſervants and others.

Q. How many might there be?

A. Four, five, ſix, or ſeven of them, I cannot be particular; I was confuſed when I ſaw them all run ſo—when I ſaw them run, I ſaid to William

Roberts, one of my ſervants, Put Mr. Jones out, take him out—the man put his arms round him; and I perceived that Raſbrook and the Biſhop's ſervants were running up—I ſtood upon the ſteps; Raſbrook came very near me running; I had in my pocket an empty piſtol; I took this out, and told him, if he advanced another ſtep, that I would ſhoot him.

Q. It was an empty piſtol?

A. Yes.

Q. You are poſitive of that?

A. I am.

Q. Relate what followed?

A. Raſbrook turned round, and ran away, and the Biſhop's ſervants ſtopped all of a ſudden.

Q. What did you do upon that?

A. By this time Mr. Jones was removed out of the office by my ſervant—We all went into the office, and ſhut the outer door, and faſtened it, as well as we could, becauſe it had been forced open, and it was not to be locked; we went into the inner office, and there we were very peaceable, and meant to have been ſo.

Q. How long did you continue there before you were interrupted?

A. About a quarter of an hour.

Q. What happened afterwards to interrupt your tranquillity?

A. I was at the upper end of the office; one of my ſervants called, and ſaid, there was a loud knocking at the door, and ſomebody wiſhed to come in—I went there, and heard a noiſe at the door.

Q. Did you know whoſe voice it was?

A. I did not.

Q. Was it a loud voice?

A. Yes it was—I did not know the voice; upon this

this I ſaid, if there was any body that meant to enter into my office by force, that they would do it at their peril.

Q. Did you ſay that loud enough to be heard on the outſide of the door?

A. Yes—There were ſeveral perſons there; I loaded one piſtol with powder and ſhot, not with ball, and repeated, that I was armed with piſtols, and that if any body came into the office by force, they ſhould do it at their peril, and take the conſequence, for that I would defend my office, as I thought I had a right to do, and that I would ſhoot the firſt perſon that entered. I heard a voice from without, "Will you ſhoot the Biſhop?"—then I knew it was the Biſhop; I knew the Biſhop was there—"Open the door to the Biſhop," the ſame voice ſaid—I ſaid, "Yes, my Lord, immediately, provided your Lordſhip enters peaceably."

Q. Did you ſpeak *that* out aloud, ſo that the Biſhop might have heard it?

A. Yes, I am ſure he muſt have heard it—By this time I had loaded my piſtol; I put it into my pocket; I walked to the chair I generally ſit on at my deſk when I tranſact buſineſs; I ſat down, and deſired the door might be opened: the Biſhop came into the office to me in a very great rage.

Q. Did any other perſons come in with him?

A. There were ſome others that came, but I cannot particularly tell who—the Biſhop came in ſuch a rage, that I took more particular notice of his Lordſhip than any body elſe; he came in and ſaid, "Fine work!" he ſaid, "You ſhall not ſtay here, I will turn you out immediately!"—I ſaid, "My Lord, I ſhall certainly behave with due reſpect to your Lordſhip, but I will not leave the office."—The Biſhop was in a great paſſion; he took hold of me; then he went from me to my huſbandman, William Roberts; he was in the office: then he went and laid hold of another of my ſervants, David Roberts, and at-

tempted to pull him out of the office. The Biſhop then returned again to William Roberts, and took him by the collar, and puſhed him towards the door; he walked and run about, and was in a violent paſſion; he had a handkerchief in his hand, wiping his face, and came up to me with his hands ſo [*deſcribing it, clinching his hands, and holding them up before his breaſt*] and ſaid, he would turn me out.

Q. Was it in the common way in which the Biſhop holds his hands, or was he in a great paſſion at the time?

A. He was in a paſſion—It is not uſual, I ſuppoſe, for a Biſhop to hold clinched hands—and he called to his ſervants, and ſaid, Come and take them out—There was one of them, Griffiths the helper in the ſtable; he ſaid in Welch to the other perſons, Shall we venture them, ſhall we lay hold of them?

Q. When the Biſhop ordered his ſervants to come in, and turn you out, did you give any orders to your own ſervants?

A. I told them not to go out, that it was my office.

Q. When the Biſhop firſt came into the room, did you give any orders to your ſervants?

A. I told them to retire to a ſpot near the window, and to be peaceable, and to be cool: "I have a right to defend this office; it is my office; be cool; moleſt no one."

Q. And did they retire to that ſpot, and keep cool and peaceable?

A. They did—I begged of the Biſhop to be peaceable, and leave me in poſſeſſion of my office, and not diſturb me in it; I told him it was my caſtle, and I had a right, by law, to defend myſelf in it;— or to that effect.

Q. When the Biſhop called his ſervants to come in, and take you out, what followed?

A. He ſaid, Send to a magiſtrate; ſend to Mr. Kyffin

Kyffin—At one time the Biſhop called to his ſervants; one of them ſtepped forward, and called out, Let us lay hold of them! ſhall we venture them? let us turn them out! let us drive them out!

Q. Was that after he had received the orders from the Biſhop?

A. It was the Biſhop called frequently to them.—I told the men the danger of it; that I was determined to defend myſelf; that it was my office; it was a place of great conſequence to me; that I had many things of value there; that I would defend it by the means God and the law had put into my power—I uſed thoſe words.—Mr. Roberts, the Archdeacon, the other Defendant, he came there, and he was alſo in a great rage.

Q. How ſoon did he come after the Biſhop had given thoſe orders?

A. I cannot take upon me to ſay whether it was immediately before or immediately afterwards; he was in a very great rage, and made uſe of very abuſive language to me, and ſaid, If nobody elſe would turn me out, he would—with his fiſt clinched;—and the Biſhop ſaid I had piſtols with me: Piſtols! ſaid he—if you have piſtols, ſhoot me, don't ſhoot the Biſhop; here, I preſent myſelf to you.

Q. Where was he ſtanding at that time?

A. Very near me in the office; he repeated it over and over in the moſt outrageous manner; he deſired me to ſhoot him, but not the Biſhop—I ſaid, he would appear very violent in the Biſhop's preſence; he ſaid, Come out with me, come on, ſaid he, if you dare; and he ſaid, he would retire with me, pointing through the window to the church-yard; he was not afraid of me in any place. I replied to him, That I had then ſomething elſe to attend to.

Q. When you told him you had ſomething elſe to attend to, did any thing further paſs?

A. He continued there a long time—ſometimes very

very outrageous; at other times very abuſive; at other times he ſaid nothing. The Defendant Hugh Owen came alſo there.

Q. When did he come up?

A. I cannot be poſitive.

Q. He is a clergyman?

A. Yes.

Q. Where did he come to?

A. He came into the office alſo; he was talking very loud, and making a noiſe there; he was very inſulting—I told them repeatedly, that I was very ſorry for their conduct; that if any of them had any buſineſs, I was there ready to tranſact it; otherwiſe, I begged they would go about their buſineſs.

Q. What did Mr. Owen do?

A. He was very inſulting, and making a noiſe.—There was a Mr. John Williams alſo, another Defendant, who behaved in a very riotous manner.

Q. Is he a clergyman alſo?

A. Yes.

Q. Relate what he did.

A. He was leſs noiſy than the reſt of them—I aſked him what buſineſs he had there?—he did not make me any reply—I told him to go about his buſineſs, that he had no buſineſs to ſtay there; but he ſtaid there long after the reſt went, againſt my will—I told him to go about his buſineſs repeatedly; he told me he came there at the requeſt of the Biſhop, and would not go—I further told him it was a great ſhame for the Biſhop, and the reſt of them, to come there in that riotous manner.

Mr. Erſkine. This was after the Biſhop was gone?

A. Yes.

Mr. Manley. Was Thomas Jones there?

A. He was there.

Q. How did he conduct himſelf?

A. He

A. He joined with them; he was very noiſy, and inſulting and abuſive to me.

Q. Did you deſire him to leave the office?

A. I deſired them all; but I ſpoke to Williams in particular to leave the office, becauſe he remained there after the reſt were gone.

Q. How did the matter end afterwards?

A. Mr. Kyffin came there afterwards.

Q. The magiſtrate?

A. Yes; and I ſaw the appearance of a conſtable—The Biſhop immediately ſaid to him, Mr. Kyffin, do your duty.

Q. Where was the Biſhop all that time?

A. All the time in the office; they were there about an hour.

Q. When did the Biſhop ſay that?

A. The Biſhop ſaid that, I think, as ſoon as he ſaw him—Upon this, Mr. Kyffin advanced to the place where I was, and ſaid, In God's name, Mr. Grindley, what is the cauſe of all this?—I replied, That I really could not tell what was the cauſe of it; that the Biſhop and his Chaplain, followed by ſeveral others, had come into the office in the manner he ſaw them, in that riotous manner. I ſaid, if they had any buſineſs to tranſact, I was ready to do it; but if they had not, I thought it would be right for him to do his duty, and turn them all out. Mr. Kyffin did not do any thing at all; he was a very peaceable man, and I wiſh all the reſt had been the ſame.—Then Mrs. Warren came, attended by two other ladies; ſhe begged of the Biſhop to go away; he ſaid, he certainly would not; ſhe ſaid, Do pray; and laid hold of the ſleeve of his coat with one or both her hands; and he reſiſted her, and ſaid he would not go. There were two other ladies, of the name of Marriott; they were in tears; they begged, for God's ſake, he would go; and they

and

and others prevailed upon him, and at laſt got him to go.

Q. What length of time were they, upon the whole, in the office?

A. As near as I can recollect, about an hour.

Mr. Samuel Grindley,

Croſs-examined by *Mr. Erſkine.*

Q. You have not told us when it was that the Biſhop of Bangor firſt deſired you to relinquiſh your office.—How long was it before this tranſaction?

A. I told him that I ſhould relinquiſh it——

Q. I am not aſking you what you told the Biſhop, but what requiſition the Biſhop made of you?

A. He had made none of me.

Q. He did not deſire you to give up your office?

A. No.

Q. At no time, neither by letter, nor by word of mouth?

A. He wrote me a letter.

Q. You have had notice to produce that letter?

A. Not that letter.

Q. You have had notice to produce all letters?

A. I beg your pardon—the Biſhop wrote to me to deſire I would ſend him the key of the office—if that was a requiſition.

Q. The key had been formerly kept by one of your clerks, who reſided at Bangor?

A. Yes, in my abſence.

Q. Where was it kept when you were preſent?

A. Sometimes by me, ſometimes by a reſident clerk.

Q. What is his name?

A. Thomas Dodd—he kept the key generally, and the other clerks I uſed to ſend to his aſſiſtance, occaſionally kept it

Q. Of courſe, when the Biſhop had occaſion to go into your office he might ſend for that key?

A. When he had occaſion, I ſuppoſe he did go; I never ſaw him go there out of office hours.

Q. Do you recollect deſiring your clerk not to deliver the key if the Biſhop ſent for it?

A. No.

Q. How came your counſel to ſtate that in your abſence?

A. I deſired that my clerk would be upon his guard, for the Biſhop had taken away the ſeals out of the office, which ſurprized me very much. I deſired my clerk would be careful, leſt he ſhould get into poſſeſſion of the office; and, to take care of the key.

Q. Then you deſired your clerk to be upon his guard, and if the Biſhop ſhould want the key, not to deliver it to him?

A. The Biſhop had, in a clandeſtine way, ſent to my reſident clerk, and got the ſeals.

Q. Did you, aye or no (I am not enquiring your motives) deſire your clerk to be upon his guard, to be careful that the Biſhop, nor no other perſon, ſhould get into poſſeſſion of the office?

A. I was ſo ſurprized when I heard the Biſhop had ſent for the ſeals, that I thought it neceſſary to caution my clerk, as I had things of great value in the office.

Q. I am not aſking your motive—by poſſeſſion, do not you mean that the Biſhop ſhould not have from the clerk the key, to get perſonal acceſs into your office in your abſence?

A. I told him to be cautious, leſt the Biſhop ſhould get poſſeſſion of the office; but I never refuſed him admittance.

Q. Was your clerk, by your permiſſion or direction, to let the Biſhop have the key in your abſence, if he wanted it?

A. I gave no other directions but thoſe.

Q. Upon your oath, did you not direct your clerk to take care that the Biſhop did not gain entrance into the office, in your abſence?

A. Leſt he ſhould get poſſeſſion of the office.

Q. You deſired your clerk to be upon his guard that the Biſhop might not have the key to enter into the office, leſt he ſhould take poſſeſſion of it?

A. Leſt he ſhould get poſſeſſion of it.

Q. Then you deſired him not to let the Biſhop have the key, leſt he ſhould get poſſeſſion of it?

A. I told him to be upon his guard, that no one ouſted him of the poſſeſſion.—I will relate the very directions, word for word.

Q. Mind, I aſk you upon your oath, whether you did direct your clerk to refuſe the key to the Biſhop, if he wanted to go into the offiee in your abſence?

A. I did not.

Q. Then you were willing to let the Biſhop into the office, in your abſence?

A. He is here, [*meaning the clerk*] let him anſwer for himſelf.—I ſaid this to the clerk, That I was informed the Biſhop had got poſſeſſion of the great ſeal; that he had applied for both; I deſired him to be careful of the office, leſt the Biſhop ſhould endeavour to get poſſeſſion of that alſo.

Q. Do you mean by that, that he was to be careful, and that if the Biſhop wanted to go into the office, he ſhould accompany him, to ſee that he did not take the other ſeal, or that he ſhould not have admiſſion into the office in your abſence?

A. I did

A. I did not give him any ſuch directions; all I directed him was this, to be careful leſt the Biſhop ſhould get poſſeſſion of the office alſo.

Q. Did you give him any directions concerning the key?

A. I think it was in writing that I ſent the directions.

Q. Will you ſwear you never directed him anything concerning the key?

A. I think I did not mention it; but the key muſt be included—I gave general directions.

Q. Thank you, Mr. Grindley, that is what I wanted. The Biſhop had taken off the lock from this door, and had another key made for it, and the Biſhop told you that this was done by his directions?

A. Undoubtedly.

Q. Did he not tell you at the ſame time that the key was there, if you wanted it to take any papers out of the office?

A. He did not.

Q. Nor wrote you to that effect?

A. No.

Q. Nor communicated it in any way?

A. I cannot ſpeak to that, but another perſon will—A meſſage was ſent to my clerk from the Biſhop, in the evening after the riot, by Mr. Roberts.

Q. That is not an anſwer to my queſtion—Previous to the time of your coming into the office by force, as I mean to contend you did, had you any declaration from the Biſhop, that the key was at the cathedral, or the palace, and that you might have it?

A. Poſitively not.

Q. You had no reaſon to think that you could get poſſeſſion in any other way, than the way you had recourſe to?

A. He told me that I ſhould not.

Q. Then you ſent for your three ſervants—are they your domeſtic ſervants?

A. They are my domeſtic ſervants.

Q. What are their names?

A. Two hired ſervants, and the other is my blackſmith.

Q. You call your blackſmith your domeſtic ſervant?

A. I ſaid I had two hired domeſtics, and the other was my blackſmith.

Q. Who were the others?

A. Two clerks.

Q. You deſired them to bring piſtols with them, and powder and ſhot, did not you?

A. Yes.

Q. I have an account of it here—I knew a good deal of this ſome time ago; you ſhall hear of that by and by—you deſired them to get piſtols, and powder, and ſhot, and come to you?

A. Yes.

Q. That you might get poſſeſſion of the office.

A. I never meant to make uſe of piſtols to get into poſſeſſion; I meant to defend myſelf if I got into poſſeſſion, and if any body ſhould attempt to ouſt me, to defend myſelf in the poſſeſſion.

Q. Then you did bring piſtols, and directed powder and ſhot ſhould be brought, and they were accordingly brought to you?

A. They were not.

Q. Where did you firſt receive the piſtols?

A. At Bangor Ferry.

Q. From

Q. From whom did you receive them?

A. From Mr. Jackſon; and then I put them into my pocket unloaded.

Q. When Mr. Jones ſaw that you had entered into the office, you deſired the blackſmith, no doubt, to break the lock?

A. I deſired them generally.

Q. After you had got acceſs, Mr. Jones put his back againſt the inner door of the office?

A. Yes.

Q. For the purpoſe of preventing your opening that alſo?

A. So it appeared.

Q. Upon which you directed theſe perſons that were with you to pull him out; you endeavoured firſt to put him out yourſelf?

A. I did, when I ſaw the Biſhop's ſervants running up to the office.

Q. Upon your oath, was it not before; for you ſaid the Biſhop's ſervants ran up in conſequence of Raſbrook calling out?

A. Yes.

Q. Was it not before Raſbrook called out?

A. He called out for aſſiſtance when I was in the act of ſo doing.

Q. Did he call out for any other aſſiſtance till you endeavoured to pull him out; and did not the Biſhop's ſervants come in conſequence of his calling out for aſſiſtance?

A. Yes; I endeavoured to get him out, he ſtruggled and wreſtled with me—if the other door had been fairly open, I think I could have put him out.

Q. But he called out loud?

A. Yes.

Q. And

Q. And in conſequence of that, Raſbrook was the firſt man that came up?

A. Yes, he came up very near the ſteps—I told him, If he advanced, he muſt take the conſequences.

Q. Do you mean to ſwear, that is what you ſaid to him—upon your oath, did you not preſent the piſtol to him, and tell him, in plain Engliſh, you would ſhoot him?

A. Did I not ſay *that*, in my original examination: I had the piſtol in my pocket?

Q. Did you tell him it was empty?

A. No.

Q. Did you tell him you would ſhoot him?

A. Yes.

Q. Did you tell him you would ſhoot him with an empty piſtol?

A. No.

Q. When Raſbrook came up, you preſented your piſtol to him, and told him, you would ſhoot him?

A. Yes; he was running up very near to the office.

Q. Then Mr. Raſbrook ran away?

A. Yes.

Q. Probably he would not have been ſo ready to run away, if he had thought your piſtol was not loaded?

A. Probably ſo.

Q. The Biſhop after that came to the door?

A. He did.

Q. You told the Counſel, upon your original examination, that when the Biſhop was at the door, you called loud enough for every body to hear you, that you were determined to ſtand upon your defence in your office—that you then loaded your piſtols—

piſtols—that after you made faſt the door, you called out that you were determined to defend your poſſeſſion, and they muſt come in at their peril, if they attempted to come in by force.—Were not your words, "that you were armed, and were determined to maintain your poſſeſſion, and would ſhoot the firſt man who entered by force?"

A. The words are theſe—When I heard this loud knocking at the door, I loaded one piſtol with powder and ſhots, not a ball; and I mentioned to the perſons at the door, I did not know who they were, that if any body forced themſelves in, or attempted to force themſelves in, that they would do it at their peril.—I repeated again, that the piſtol was loaded, that I was armed with piſtols and other weapons; that if they forced themſelves in, they would do it at their peril, that I would ſhoot the firſt man that entered, that I would defend myſelf in the poſſeſſion of my office—or to that effect.

Q. You ſaid you were armed with piſtols?

A. I ſaid ſo, but I had only one; my clerk had the other piſtol.

Q. He was in the office with you?

A. Yes.

Q. And *that* you ſaid loud enough, that every body on the outſide muſt hear?

A. Yes; and then ſomebody outſide ſaid, Will you ſhoot the Biſhop? I ſaid, No, my Lord.

Q. You heard a voice, deſiring to be admitted, which you then knew was the Biſhop, and you opened the door?

A. Yes.

Q. How many perſons came in with the Biſhop, when he entered?

A. I cannot tell.

Q. Did any body come in with him?

A. I cannot ſay?

Q. Will you ſwear he deſired any body to come in with him?

A. He called to ſeveral people to remove me.

Q. When he aſked admiſſion, did he bring any thing in with him, or make uſe of any expreſſion, calling upon others to follow him?

A. I will not be poſitive that he deſired any body to follow him in.

Q. Did the Biſhop ſay to you, when he came in, that he was much ſurprized that you ſhould proceed with that force, violence, and tumult, to come into your office, when, if you wiſhed to have the key, it was lying at the palace?

A. No ſuch thing.

Q. Nor he never reprehended you for uſing any violence?

A. He ſaid, "Fine work!"

Q. Where was your piſtol at this time?

A. In my pocket.

Q. The ſtock of your piſtol was out of your pocket, was it not?

A. No; I think the muzzle of it was—I dare ſay it was—I am ſure it muſt.

Q. What other arms had you?

A. None; I only ſaid *that* to intimidate them from breaking in upon me.

Q. Had you any bludgeons?

A. I had none.

Q. Will you ſwear that none of the people that came in with you had bludgeons?

A. I will ſwear nothing but what I am poſitive of.

Q. What are you poſitive of?

A. I think they had no bludgeon.

Q. Nor

Q. Nor any other weapon?

A. They had a chiſſel and a hammer they broke the door open with.

Q. The Biſhop was armed with his handkerchief, we find?

A. I do not know of any thing elſe.

Q. Did you ſee any arms in the hands of any body who came afterwards into the office?

A. I did not.

Q. Do you know that the Biſhop had ſent for Mr. Kyffin, a Magiſtrate, before he came in?

A. No, I never knew any thing of the kind.

Q. When did he ſend for him?

A. I heard ſomebody ſay, Is Kyffin ſent for? or to that effect; and he ſoon came there.

Q. How long had the Biſhop been there before Mr. Kyffin came in?

A. It was ſometime, I think, before he was ſent for.

Q. When the Biſhop put his fiſt, in the manner you ſtate, had he his handkerchief in his hand?

A. No, he held his fiſts in this manner *(deſcribing it, as in his original examination)* and ſaid, he would turn me out—he was running ſtamping about.

Q. In a great paſſion, as you deſcribe—how long was this after the Biſhop came in?

A. Some little time; I cannot be poſitive as to the time he was there.

Q. Did you hear the Biſhop ſay to any body round him, that law muſt take its courſe with you, and deſired them not to interfere?

A. I did not.

Q. When Mrs. Warren and the ladies came, they all went away, I underſtand?

A. Yes; and the Biſhop much againſt his will.

Q. You loaded your piſtol for the purpoſe of defending your poſſeſſion?

A. I did.

Q. And you were determined to defend your poſſeſſion with them, and declared that publicly while this thing was going on?

A. I made no ſecret of it. I mentioned it once, twice, or three times—I conceived that I had a right to do it.

Q. You ſay, that this Mr. Gunning, the minor, is the Regiſtrar—had you any appointment from Mr. Gunning?

A. I had an appointment from the Biſhop; and a confirmation, I conceived, from the ſon.

Q. Had you a written confirmation from the ſon?

A. I had not.

Q. Had you no appointment by the ſon?

A. I had a confirmation; it was with his approbation; I paid him his rent.

Q. His approbation was ſignified by your paying his rent?

A. From what he ſpoke to me.

Q. Perhaps it may be an impertinent curioſity; but I ſhould wiſh to aſk you whether you ever ſaw this book *(ſhewing the witneſs a pamphlet)*?

A. I have ſeen ſome of theſe pamphlets.

Q. You have read it, probably?

A. I believe I have.

Q. You doubt it, perhaps?

A. Not in the leaſt.

Q. Did you ever ſee it in manuſcript?

A. No.

Q. Nor any part of it?

A. Any part of it?

Q. Yes,

Q. Yes, any part of it?

A. No; I did not.

Mr. Adam. I am at a loſs to know what this is.

Mr. Juſtice Heath. His ſeeing it in manuſcript, if it were a libel, would not implicate him.

Mr. Erſkine. I may try the witneſs' credit with the Jury—I am going to contradict him. You never ſaw any part of it in manuſcript?

A. No; I had two myſelf, one delivered to me in London, another ſent down into the country.

Q. You did not know that ſuch a work was writing till it was ſent to you—have a care; go gently?

A. You need not caution me. I have only to tell you this, that it was mentioned in the public paper, that a pamphlet againſt the Biſhop was ſhortly intended for the preſs laſt year.

Q. Then it was only through the medium of the public news-paper that you knew that a pamphlet was in agitation againſt the Biſhop of Bangor?

A. That was the way I firſt came to know it.

Q. As you have read the pamphlet, you will ſee there is a private correſpondence between the Biſhop and you, ſtated in that pamphlet.

A. There is.

Q. How did it happen that this correſpondence got into the hands of any body who, without your knowledge, compoſed this pamphlet?

A. It was not without my knowledge.—Some circumſtances attending my reſignation of the office under the Biſhop, his Lordſhip's conduct towards me, and ſeveral other circumſtances, made it neceſſary for me to make it known how it was; and I gave an account to ſeveral of my friends.

Q. Is that any part of it, "*General Grindley's expedition into the office?*"

A. Not in that manner—I told the plain truth as to General, or Adjutant, I know nothing of that kind.

Q. You only furniſhed theſe letters?

A. I delivered an account, to ſeveral friends, of the Biſhop's conduct towards me.

Q. But you had no idea that they would find their way into the ſhape of a pamphlet, to be circulated through Wales?

A. Not it the leaſt.

Q. You had no idea of that, till the book was ſent you?

A. Not at all—When I ſaw it here, I knew it muſt be by ſomebody that had ſeen the account which I had written. For the Biſhop had propoſed that I might act, with reſpect to ſome matters in Wales. In conſequence of that, I did act; and afterwards he would not ſuffer me, nor allow me, which compelled me to take the ſteps I did; and, in juſtification of my conduct, I did make this known.

Q. You gave copies of your letters.

A. I did.

Q. And there they are?

A. I do not know that they are here exact. I never compared them.

Q. Did you ſee any of theſe pamphlets in Wales?

A. I have heard of a great many of them.

Q. Did you ſee them in circulation in Wales, before this bill of Indictment was preferred?

A. No—yes, I believe.

Q. You

Q. You ſeem now to be in doubt—are you in any doubt about that?

A. I am not poſitive whether they were before or after; I really cannot tell, upon my oath.

Q. But about that time you ſaw them in circulation?

A. About that time.

Q. In pretty large circulation, I believe?

A. I do not know; the one that was ſent to me in the country; there were ſeveral others in the ſame parcel. I immediately ordered that pamphlet to be locked up.

Q. Was that before the indictment was preferred?

A. I rather think after, but I cannot be poſitive about that.

Q. Nor who wrote this pamphlet, you do not know of courſe?

A. I do not know.

Q. Who might you give the copies of your letters to?

A. To ſeveral.

Q. Who were they?

A. I think to a Mr. Williams, of Treffos.

Q. Who elſe?

A. I ſhewed them, and gave them to many of my friends.

Q. Did you give copies to any body elſe?

A. I do not recollect that I did.

Mr. SAMUEL GRINDLEY,

Re-examined by Mr. *Manley*.

Q. Had you any meſſage from the Biſhop, before the riot was committed, that the key was at the palace for you?

A. Poſitively none.

Q. I think

Q. I think you ſaid, in your original examination, that after you had turned Mr. Jones, out of the office, you had been, for about a quarter of an hour before the Biſhop came, in quiet poſſeſſion of it?

A. Yes.

Q. Then the Biſhop came and ſaid, "Turn them out?"

A. Yes, after he came in.

Q. My Friend has aſked you about this appointment:—You paid the Biſhop, for the uſe of the Minor, the rent, from time to time, of ſeventy pounds a year?

A. Yes.

Q. Now about theſe letters:—Did you deliver theſe letters, and communicate what had paſſed between you and the Biſhop, to your friend, with a view of vindicating yourſelf?

A. Yes, that was my motive:—The curioſity of many was ſo much excited, that I was enquired of how it was, and I thought it neceſſary to do ſo.

Q. And you did it with that view, and nothing elſe?

A. Yes.

Mr. Erſkine. Did you ſee this Gentleman (Dr. Owen) in the room before the Biſhop left the room?

A. I have ſworn it, and I repeat it.

Q. By the room you mean the office?

A. Yes.

JOHN SHARPE (ſworn.)

Examined by *Mr. Ellis.*

Q. On the ſeventh of January were you in the Regiſtrar's office, with Mr. Grindley?

A. Yes.

Q. Do

Q. Do you recollect the Biſhop admitting to Mr. Grindley, that he had given directions for breaking into the Regiſtrar's office?

A. Yes.

Q. Did you attend Mr. Grindley and ſome of his ſervants to the Regiſtrar's office upon the morning of the eighth?

A. I did not.

Q. Did the Biſhop tell Mr. Grindley that he might have the key of the office if he choſe to ſend for it?

A. On the contrary, he refuſed, and ſaid he ſhould not have admiſſion into the office.

JOHN SHARPE.

Croſs-examined by *Mr. Plumer.*

Q. I believe you are the Clerk that were left at Bangor when Mr. Grindley went away?

A. No.

Q. Who was the Clerk that was left

A. Prichard.

Q. Had you the poſſeſſion of the key?

A. I had.

Q. You had the key of this office in the abſence of Mr. Grindley?

A. It was delivered to me by the Clerk in the office on the 7th of January.

Q. How long had it been in your poſſeſſion?

A. In the evening of the 6th of January I got poſſeſſion of the key from Mr. Dodd, and kept poſſeſſion of it all the 7th.

Q. You had not it before the evening of the 6th?

A. I kept poſſeſſion of the key on the 7th, which was a holiday.

Q. Before

Q. Before that time it was in the poſſeſſion of Mr. Dodd?

A. Yes.

Q. After it was delivered over to you, were not your directions, not to let the Biſhop have the key?

A. Undoubtedly; the object of my having the key was to prevent Mr. Dodd, who we thought might be prevailed upon to deliver up the key, in conſequence of what had paſſed with reſpect to the ſeals.

Q. Thinking that Dodd would not be ſo much to be relied upon to keep the key from the Biſhop as you, it was for that purpoſe delivered to you?

A. I ſo underſtood.

Q. I believe, after you had got poſſeſſion of it, for the purpoſe you have deſcribed, to prevent the Biſhop having it, fearing he would make ſome improper uſe of it, after that time the Biſhop ſent to you for the key, and you refuſed it?

A. It was for the purpoſe of preventing him; becauſe Mr. Grindley had a number of private papers there, independent of the archives belonging to the Regiſter office.

Q. Theſe private papers did not relate to the office, but were private papers of his own?

A. I do not know what they were, they were in a private deſk of his own.

Q. Was that deſk locked?

A. Yes.

Q. So he was afraid the Biſhop ſhould break open that lock, and take away his private papers?

A. I cannot ſuppoſe *that*.

Q. This private deſk was locked; and the proceedings of the Courts, and the wills, all the public documents of the Court, were in that office?

A. They were under lock and key; but I believe the

the keys were left in the locks; they were all in places for public security.

Q. After you had got the key, did not the Biſhop ſend to you, to deſire to have the key, and you refuſed him?

A. The firſt perſon that applied to me was Mr. Dodd, who, I believe, had been down along with the Biſhop: he applied to me for the key.

Q. For the Biſhop?

A. Yes, for the Biſhop.

Q. Did he ſay it was for the Biſhop?

A. I believe it was.

Q. At what time of the day was that?

A. At noon, on the 6th: it was a day prior to the breaking into the office.

Q. Did you at any time ſend the key to the Biſhop?

A. I did not; my directions were to the contrary.

Q. Whether what you did was not in purſuance of the directions you had received from Mr. Grindley?

A. Undoubtedly ſo.

JOHN SHARPE.

Re-examined by *Mr. Ellis.*

Q. Did Mr. Grindley give you any other directions reſpecting this key, but "to take care?"

Mr. Erſkine. He refuſed to deliver the key to the Biſhop: he had the key on the 5th, he kept poſſeſſion all the day on the 6th, and on the 7th gave it to Mr. Grindley.

Mr. Adam. Was it on the 6th you were aſked for it?

A. It was.

THOMAS PRICHARD (ſworn.)

Examined by *Mr. Adam.*

Q. What are you?
A. A Clerk to Mr. Grindley.

Q. Were you a Clerk to Mr. Grindley in January laſt?
A. I was.

Were you at Bangor upon the 6th, 7th, and 8th of January laſt?
A. I was there upon the 8th.

Q. In the morning of the 8th?
A. Yes.

Q. You know the ſituation of the office of the Regiſtrar there?
A. Yes.

Q. It has a lobby to it, has it not; there is a flight of ſteps up to the porch?
A. Yes.

Q. There is a door to that porch?
A. Yes.

Q. Were you there at the time the door was ſhut?
A. I was.

Q. Who did you go with?
A. With Mr. Grindley, and one of his Clerks, and three of his ſervants.

Q. You got the doors opened, and went into the office?
A. Yes.

Q. When you got into the office, did Mr. Grindley give you any directions of how you were to conduct yourſelves?

A. Yes:

A. Yes:—the Biſhop's Agent came there before we got the door open.

Q. What is his name?
A. Mr. Jones.

Q. You put him out?
A. Yes; Mr. Grindley did.

Q. After he was gone, what did you do?
A. Forced open the inner door—the door of the office.

Q. Then Mr. Grindley, and you, and thoſe who were with him, went in?
A. Yes.

Q. What was done to the outer door?
A. It was faſtened by one of the men.

Q. When you got into the office, what was done to the inner door?
A. It was left open.

Q. How long had you been in the office before any body came?
A. About a quarter of an hour, I believe: I cannot tell certainly.

Q. What paſſed when any body came?
A. There was a loud knocking at the door: I kept on the inſide of the office.

Q. When this knocking came at the door, did you hear any voice?
A. Not at firſt.

Q. Afterwards what did you hear?
A. I heard ſomebody ſay, "Open the door!" but they continued knocking a good while before that.

Q. Was there a bawling at the door?
A. Not at firſt.

Q. Was there at any time?
A. Yes, ſome perſons cried out, Open the door!

Q. What did Mr. Grindley do upon that?
A. He walked towards the door.

Q. Did he afterwards open the door?
A. He aſked who was there firſt; nobody anſwered directly—he aſked, I believe, a ſecond time, who was at the door—he told them, if they burſt the door open he would ſhoot them—or ſomething of that kind. They continued knocking at the door, and ſomebody cried out, "Open the door!"—Mr. Grindley enquired who was there; at laſt ſomebody called out, "Will you open the door to the Biſhop of Bangor?" Mr. Grindley ſaid, "I will open the door to your Lordſhip,"—and the door was opened.

Q. Before the door was opened, had Mr. Grindley given any direction to you, and the other perſons within, how you ſhould conduct yourſelves?
A. He told us to keep in the office, and not to come out, and to ſit there quiet.

Q. When the Biſhop came in, what happened?
A. He ſeemed to be in a very violent paſſion; he followed Mr. Grindley into the office, and he clinched his fiſts in this manner *(deſcribing it, his hands hanging down by his ſides)*—and ſaid to Mr. Grindley, "Fine work! fine work!"—Mr. Grindley ſaid, "So it is my Lord, breaking open my office in this manner."—"Your office (ſaid the Biſhop) you have nothing to do with it; you have no buſineſs here, I inſiſt upon your going out!"—Mr. Grindley ſaid, He would not go out, that he had a right to be there, and he would maintain his right; that he would pay due reſpect to his Lordſhip.—The Biſhop was walking backwards and forwards in a very great paſſion, as I thought. Mr. Grindley ſeated himſelf down by a deſk—Mr. Roberts the Chaplain, Dr. Owen, Mr. Jones, and Mr. Williams, ſoon followed him.

Q. They

Q. They are the Defendants?
A. Yes.

Q. How did they behave themſelves?
A. Very riotous.

Q. What did they do?
A. The Biſhop told the Chaplain, that Mr. Grindley threatened to ſhoot him. The Chaplain began to ſwagger, and ſaid, if he would ſhoot any body he might ſhoot him; he challenged Mr. Grindley to retire, which he refuſed at that time, he ſaid he had ſomething elſe to do, or ſomething of that kind, but he was at his ſervice another time. —Mr. Grindley was walking backward and forward.

Q. Do you remember a perſon of the name of Roberts, a ſervant of Mr. Grindley.
A. Yes.

Q. Do you remember a perſon of the name of Robert Davis, a ſervant of Mr. Grindley?
A. Yes.

Q. Was any thing done to either of them?
A. One of them aſked, Who are theſe fellows? who are theſe ruffians?

Q. Who aſked that?
A. The Chaplain, or ſomebody elſe—he ſaid, who are theſe ruffians?—Mr. Grindley ſaid, they were quiet enough.

Q. Did they continue quietly all this time?
A. Yes.

Q. Was any thing done to theſe men?
A. The Biſhop went up to William Roberts, and laid hold of him in this manner *(taking hold of his ſhoulder)* and puſhed him towards the door—he laid hold of the Biſhop's hand, and diſengaged himſelf, and went further on into the office.

Q. Was any thing done to Robert Davis?
A. I did not ſee any thing done to him.

Q. Did you ſee any thing elſe done by any other of the Defendants.

A. Mr. Kyffin the magiſtrate came in ſoon, and aſked what was the matter? Mr. Grindley ſaid he did not know—that the Biſhop came in, and his Chaplain followed.

Q. Was the Biſhop there at that time?
A. Yes, that he came with his Chaplain and a great number of men, and that he did not know what was the matter.

Q. How many people might be collected together at this time?
A. I cannot tell; there might be forty people outſide.

Q. What put an end to this?
A. Mrs. Warren came into the office to endeavour to take the Biſhop away—ſhe laid hold of his hand.

Q. Did he go with her immediately?
A. He did not—he pulled his hand from her, at that time ſhe laid hold of him, and took him out, but he did not go out immediately—they had him out at laſt.

THOMAS PRICHARD,

Croſs-examined by *Mr. Leyceſter.*

Q. You have told us all that paſſed, have you? becauſe you are ſworn to tell the whole truth, and you have done ſo, I take for granted?
A. I cannot recollect every word that paſſed.

Q. But you have told us the principal circumſtances that paſſed?
A. I believe ſo.

Q. You

Q. You have told us all that Mr. Grindley did at the beginning—As I underſtood you, the firſt time Mr. Grindley talked of ſhooting, was when there was a rapping at the door—He aſked who was there, and ſaid, if any body attempted to come in by force he would ſhoot them—that was the firſt time he talked of making uſe of his piſtols, was not it?

A. No, I believe not.

Q. You had heard him before, had you?

A. Yes, when the Biſhop's ſteward came.

Q. The firſt thing that happened was Mr. Jones, the Biſhop's agent, coming in, I believe?

A. Yes.

Q. When Mr. Jones came, Mr. Grindley attempted to turn him out, did not he? and they had a violent ſtruggle?

A. Yes; but there was no blows.

Q. Mr. Grindley was endeavouring to thruſt him out?

A. Yes.

Q. But Mr. Grindley firſt of all laid hold of him to thruſt him out of the office, that was the beginning?

A. Yes, I believe it was—he placed himſelf with his back to the inner door.

Q. The reſt were ſitting perfectly quiet, and you were quiet all the time?

A. I did not touch him.

Q. They were all perfectly quiet?

A. After that Mr. Jones came in again.

Q. I am ſpeaking of Mr. Grindley and his people—you were all perfectly quiet—had you any of you a piſtol?

A. Yes, I had a piſtol.

Q. So,

Q. So, Mr. Grindley directs you to be perfectly quiet, and puts a piſtol into your hand?

A. It was an empty piſtol.

Q. And there was no powder and ſhot there?

A. I had none.

Q. There was no powder and ſhot there?

A. Indeed I had none.

Q. There was none there?

A. Mr. Grindley loaded his piſtol.

Q. Was there no powder and ſhot there, except what Mr. Grindley uſed to load his piſtol with?

A. I had none, nor had any of the others that I know of.

Q. When the Biſhop came in, you ſay he walked backwards and forwards, with his hands clinched in this poſition (*deſcribing it, hanging down by his ſides*)?

A. Yes.

Q. Apparently in a paſſion, and ſaying—"Fine work?"

A. Yes.

Q. Walking about with his hands down in this manner (*deſcribing it as before*)?

A. I cannot ſay they were ſo all the time.

Q. But when he came in, you ſay the Biſhop held his hands in that manner, with his hands clinched, and ſaid, "Fine work?"

A. Yes.

Q. When you ſaid they behaved riotouſly, you have told us all that paſſed, and what you underſtood to be riotous, was the Biſhop's being in a paſſion?

A. Yes.

Q. You ſay ſome one aſked who theſe ruffians were?

were?—who made uſe of that expreſſion, you do not know?

A. I am not very ſure.

Q. Upon your oath, was Doctor Owen in the office at the ſame time with the Biſhop?

A. Yes, I believe he was.

Q. Will you ſwear it poſitively?

A. I believe he was.

Q. Before you ſaid poſitively, now will you ſwear poſitively that he was there at the ſame time with the Biſhop?

A. To the beſt of my recollection he was.

Q. Do you recollect enough to ſwear poſitively one way or the other?

A. I believe he was.

Q. Will you ſwear poſitively that he was—do you, or not, recollect with ſufficient certainty to ſwear it poſitively?

A. I believe he was there.

Q. Then you will not ſwear poſitively?

A. He was there I believe at the ſame time that the Biſhop was.

Q. You will ſay no more than you believe.—it was a market-day, was not it, at Bangor?

A. No; the market-day is on a Saturday, this was on a Friday.

Q. Was it, or not, market-day at Bangor?

A. I believe not.

Q. Do you live at Bangor?

A. No; Saturday is the market-day there.

Q. Will you ſwear that Saturday is the market-day at Bangor?

A. Yes; they keep a market there on Saturday.

 Q. Will

Q. Will you ſwear that Friday is not the market-day?

A. They might ſell butchers meat, or ſomething of that kind.

Q. Are you coming here to ſwear to what you know, or what you do not know,—what day is the market day?

A. Saturday is a market-day there.

Q. You underſtand what is meant by the market-day, do not you?

A. Yes.

Q. Will you ſwear now, once more, that Friday is not the market-day—why every body knows what is meant by the market-day?

A. Yes, I know.

Q. Then will you ſwear that Friday is not the market-day?

A. It is Saturday, to the beſt of my knowledge.

Q. Do you know whether it is or not?

A. I am not very ſure.

Q. Are you as certain about the reſt you have been ſwearing to, as you are about the market-day—I aſk you, upon your oath, whether it was not market day—whether the ſeveral people that came up, did not come out of curioſity?

A. They did not all come from the market.

Q. Theſe forty people did not come with the Biſhop?

A. I do not know from where they came.

THOMAS PRICHARD.

Re-examined by *Mr. Adam.*

Q. You do not reſide in Bangor?

A. No.

Q. You

Q. You are an engroſſing clerk to Mr. Grindley?

A. I am employed in his office.

Q. Have you any particular reaſon to know any thing about the market day, one way or another?

A. I really forget.

JOHN THOMAS (ſworn.)

Examined by *Mr. Manley.*

Q. What are you?

A. A writer of Mr. Grindley's.

Q. Were you with Mr. Grindley, at Bangor, on the morning in which he took poſſeſſion of this office?

A. Yes.

Q. We are told it was about nine or ten in the morning?

A. Yes.

Q. After you had broke open the door, what did you do to the outer door, after you got in poſſeſſion of the office?

A. Faſtened the outer door with an iron wedge.

Q. After you had faſtened yourſelves in, how long did you continue in the office before you heard anybody at the door?

A. We continued there about a quarter of an hour.

Q. Did you hear a noiſe at the door then?

A. Yes, I heard a rapping at the outer door.

Q. Did Mr. Grindley ſay any thing upon that rapping, or do any thing?

A. Mr. Grindley aſked who was there—ſome perſon there ſaid, Open the door; then Mr. Grindley charged his piſtol with powder and ſhot.

Q. Having ſo charged it, did he ſay any thing before he opened the door to the perſons outſide?

A. He ſaid that he was armed, and any perſons that forcibly entered in, he would ſhoot them.

Q. Did he ſay that out aloud, ſo that perſons that might hear it without the door?

A. Yes, he was cloſe to the door when he ſaid it.

Q. What day is market-day at Bangor?

A. Friday.

Q. Perhaps you are a native of Bangor?

A. No.

Q. Do you live near it?

A. No.

Q. When Mr. Grindley ſaid, If you forcibly open the door I will ſhoot any perſon that does it—was that ſaid once or twice, or oftener?

A. He ſaid, You will not ſhoot me—open the door for the Biſhop of Bangor.—Mr. Grindley ſaid Yes, my Lord, I will open to your Lordſhip—the door was opened.

Q. When the door was opened, did anybody come into the office?

A. The Biſhop entered in.

Q. What ſtate of mind did he appear to be in?

A. In a violent rage—he came in ſtamping his feet—he walked towards Mr. Grindley, and ſaid, Fine work! fine work!—Mr Grindley repeated, Yes, fine work, in breaking open my office—whoever did it ſhall repent it.

Q. What did the Biſhop do further?

A. The Biſhop ſaid, "Your office! you have no right to be here, you muſt quit it immediately,"—or words to that effect. Mr. Grindley ſaid, He had a right to be there. The Biſhop continued to be in a rage there all the while.

Q. How

Q. How did he ſhew that he was in a rage?

A. He was ſtamping his feet, and walking about: he went towards Mr. Grindley very often, as if he had a mind, as I thought, to collar him.

Q. How did he hold his hands, when you ſay you thought he meant to collar him?

A. His hands were clinched, and he was walking about cloſe to Mr. Grindley.

Q. Do you recollect what he ſaid beſides?

A. No.

Q. Do you know Dr. Owen?

A. Yes.

Q. Did you ſee the Biſhop do any thing to any of the perſons that were there?

A. Yes; to one William Roberts—he ordered his people to turn him out, and deſired that he would make out; he faſtened at his collar, and grappled at him, and wanted to puſh him towards the door; upon this William Roberts took hold of his hand, and diſengaged himſelf—got clear from him.

Q. Did you ſee him do any thing to any other perſon?

A. No.

Q. Did you ſee him do any thing to Robert Davis?

A. No.

Q. Did you ſee Dr. Owen there?

A. Yes.

Q. What time did he come there?

A. I cannot tell.

Q. Was he there before the Biſhop went away?

A. Yes.

Q. How long before the Biſhop went away had he been there?

A. Sometime before the Biſhop went away.

Q. Did

Q. Did you hear him ſay or do any thing?

A. No; he was in a great paſſion, talking or doing ſomething or other—talking and laughing—and talking in very high words, like the reſt of them.

Q. And that was before the Biſhop went away?

A. Yes.

Q. Do you recollect any of thoſe high words?

A. I do not recollect.

Q. Was the Reverend Mr. Roberts there?

A. Yes.

Q. How ſoon did he come?

A. He came ſoon after the Biſhop.

Q. Did he come before Dr. Owen, or after him?

A. Before Dr. Owen.

Q. When the Reverend Mr. Roberts came, what did he ſay or do?

A. He came in very violent, with his fiſt clinched, and in an abuſive and riotous manner; and ſaid, he would turn us out. The Biſhop told Mr. Roberts that Mr. Grindley was armed with piſtols. Then he held his coat open, and ſaid, If you ſhoot any body ſhoot me—then he challenged Mr. Grindley to retire.

Q. What was he to retire for?

A. To retire, as I thought, to fight.

Q. Where was he to retire to?

A. He wanted him to retire, pointing with his hand out of doors, and he pointed his head on one ſide, as if challenging him to come out.

Q. What did Mr. Grindley ſay to that?

A. He declined coming then, but he ſhould be ready at his ſervice at another period.

Q. Was the Biſhop preſent at this time?
A. He was preſent.

Q. And heard what Roberts ſaid?
A. He was in the office.

Q. Mr. Roberts is his chaplain?
A. Yes.

Q. Did you ſee the Reverend Dr. Owen there?
A. Dr. Owen was not come in at that time.

Q. Did you ſee John Williams there?
A. Yes.

Q. The Reverend Mr. Williams, how ſoon did he come?
A. He was there at the beginning.

Q. Before or after Mr. Roberts?
A. After.

Q. What did he do?
A. He was there among the reſt, talking this and that, and wrangling there—there was a great noiſe amongſt them.

Q. Did you ſee Thomas Jones?
A. Yes.

Q. Was he there?
A. Yes.

Q. When did he come?
A. Soon after the Biſhop.

Q. Did Thomas Jones come before Dr. Owen, or after?
A. I think he came before Dr. Owen.

Q. Have you the leaſt doubt whether Dr. Owen was there before the Biſhop went away?
A. He was there before the Biſhop went away.

Q. How long might they ſtay there, in the whole?
A. An hour, or thereabouts.

Q. Were

Q. Were there other perſons about the door?

A. There were a great number of perſons about the door.

Q. Did any of the by-ſtanders do any thing?

A. One of the by-ſtanders, when the Biſhop ſaid, Turn the people out, turn them out—one of them at laſt advanced into the inner office, and ſaid to the others in Welſh,—" Shall we take hold of them? " come, come, let us take hold of them."—Mr. Grindley moved from the door where he then was.

Q. During this time, what had become of Mr. Grindley's ſervants and perſons.

A. Mr. Grindley ordered them to go to the window, but that they ſhould not go out.—Mr. Grindley, when he ſaw the man advancing——

Q. What was that man's name?

A. I do not know;—upon the man advancing in, Mr. Grindley ſaid, Peace is what I want; I ſhall not quit this office.—He ſaid, peace was what he wanted, and this office was his caſtle.—Mr. Grindley laid his hand upon his piſtol, upon which the man retreated.

Q. The man that had ſaid, " Shall we turn them out?"—

A. Yes.

Q. Did any perſons come there to the Biſhop afterwards; did you ſee Mrs. Warren there?

A. Yes.

Q. How was the Biſhop got out of the office?

A. Mrs. Warren came into the office with two ladies, requeſting him to come out.

Q. Did he go out upon her requeſting him?

A. He did not;—he was not inclined to go out.

Q. What temper was he in at that time?

A. He was in a violent rage all the time; he would

would not go out at firſt—he mentioned that Mr. Grindley had piſtols, that he was armed—I believe ſhe was a little alarmed; then ſhe took hold of his hand, and then took him by his arm, and wanted to take him out, but he ſtruggled from her, and would not go;—he wanted to talk more with Mr. Grindley; they were talking one amongſt another, all of them.

Q. He did go out ſoon afterwards, I believe?
A. He did.

Q. Did the reſt of the Clergy go with him?
A. All of them went with him, but Mr. Williams.

Q. Do you recollect whether Dr. Owen went out with him?
A. Dr. Owen, I think, went out before him.

Q. Was Dr. Owen in the room after the Biſhop had gone out at all?
A. I cannot recollect that.

Q. But whether he came before, or no, you cannot tell?
A. I do not recollect—He came with a paper for a receipt from Mr. Grindley—he wanted a receipt from Mr. Grindley.

Q. That was after the Biſhop was gone out?
A. It was when the Biſhop was there; he was not quite gone out.

Q. How long did Mr. Williams ſtay there after the Biſhop was gone?
A. I cannot recollect—Mr. Grindley ſaid he was ready to tranſact any buſineſs, if he had any—Mr. Williams ſaid, the Biſhop deſired of him to ſtay there.

JOHN THOMAS.

Croſs-examined by *Mr. Milles.*

Q. You deſcribe yourſelf as an engroſſing clerk of Mr. Grindley's; is that your buſineſs?

A. As a writing clerk.

Q. Have you any other particular intereſt about the buſineſs of Mr. Grindley?

A. No—I go here and there upon errands.

Q. Perhaps thoſe errands are about notes—Do not you negociate a little paper for Mr. Grindley?

Mr. Adam. With what view do you put that queſtion?

Mr. Milles. To ſhew that the Witneſs is deeply intereſted with Grindley.

Mr. Juſtice Heath. You are not to go into Grindley's private affairs.

Mr. Milles. It does not ſignify.—You came with theſe people from Bangor Ferry?

A. Yes.

Q. How many were there of you?

A. There was a blackſmith, two ſervants, a clerk, and myſelf.

Q. Two piſtols?

A. We had no piſtols coming.

Q. Where did you happen to find them?

A. They were borrowed ſomewhere.

Q. How many men of you had bludgeons?

A. Small ſticks.

Q. Short ſticks?

A. I had none.

Q. I do not ſuppoſe they would put you upon that

that—Little ſhort ſticks, that, when in the pocket, would juſt appear out of it?

A. No; they were too long for that.

Q. They had none of them ſuch ſticks as thoſe?

A. No; every one had a ſtick in his hand.

Q. When you came into the office, what was your employment at firſt?

A. I was ordered to come there with Mr. Grindley.

Q. Did you ſee all that paſſed; did you ſee Raſbrook come?

A. I did not ſee him come at all.

Q. You did not ſee your Maſter, Grindley, preſent the piſtol to Raſbrook?

A. No—I was in the office then, and did not ſee that.

Q. I underſtood you the Biſhop came into the office, and the others came after this?

A. Yes.

Q. When the Biſhop came into the office, the muzzle of Grindley's piſtol was out of his pocket, I believe?

A. The piſtol was in his pocket.

Q. Where was the other piſtol?

A. The other piſtol was unloaded, with one of his clerks.

Q. Was it not upon the deſk when the Biſhop came in?

A. No:—It was in the clerk's pocket, and Mr. Grindley had the other.

Q. Was not that piſtol upon the deſk while you were there?

A. I did not ſee it there.

Q. You ſwear that.

A. I do.

Q. You ſaw the deſk?

A. I did—I was going backward and forward.

Q. When the Biſhop came in, this converſation paſſed—"Fine work! fine work!"—he was then walking about in a paſſion?

Q. He moved his hands ſo *(deſcribing it—his hands down by his ſides.)*

A. Yes.

Q. Did you hear all that paſſed between the Biſhop and Grindley?

A. Yes.

Q. Did you hear the Biſhop ſay this—"Thoſe were the public records, and it was his duty to take care that the public records were not in improper hands?"

A. I cannot ſay for that.

Q. Did not the Biſhop ſay, "The public records are here; they are of importance to the country, and it is unfit they ſhould be in improper hands?"

A. I did not hear any thing of that—My eye was very often upon the people at the door, upon their talking ſo, and wrangling one with another, the Biſhop and every one of them.

Q. So you remember his paſſion, you remember the attitude of his hands; but you cannot remember whether he ſaid any thing of this ſort in his converſation with Mr. Grindley?

A. I do not.

Q. Do you remember Grindley putting a writ into the Biſhop's hand?

A. I do.

Q. When was it that he put a writ in his hand?

A. He ſerved him with a writ, and put it into the

the Biſhop's hand; the Biſhop read it, and ſaid he would anſwer it.

Q. Did he ſay that in a paſſion?
A. Yes, he was in a paſſion.

Q. Then from the time he came in till he went away with Mrs. Warren, the Biſhop was in one continued paſſion, equally violent during the whole time he was in the room?
A. Yes.

Q. Did you ſee Mr. Kyffin, a juſtice of the peace, come in?
A. Yes.

Q. The Biſhop was in a paſſion then, was he?
A. He was in a paſſion for a long time—for ſome time.

Q. Was he in a paſſion when Mr. Kyffin came in, aye or no?—you do not remember that, perhaps?
A. No.

Q. Did you ſee Mr. Kyffin come in a ſecond time?
A. I ſaw him once only; I ſaw him talking with Mr. Grindley.

Q. When you ſaw Mr. Kyffin with Mr. Grindley, did you ſee Dr. Owen with him?
A. I cannot recollect.

Q. When Mr. Grindley ſaid, "Peace is what I want, and every man's houſe is his caſtle," he put his hand into his pocket and took out a piſtol?
A. Yes.

Q. Did not he perſevere all the time in ſaying, he would defend his poſſeſſion to the uttermoſt?
A. That he would not quit the office.

ROBERT DAVIS, (ſworn.)

[*He not ſpeaking Engliſh an Interpreter was ſworn.*]

Mr. Juſtice Heath. What do you call this witneſs to prove?

Mr. Ellis. Only to prove the ſame facts.

Mr. Adam. I will reſt the caſe here.

The End of the Evidence for the Proſecution.

The Honourable THOMAS ERSKINE, *for the Defendants.*

Gentlemen of the Jury:

MY learned Friend, in opening the caſe on the part of the Proſecution, has reminded you of the great length of time which I have devoted to the duties of my profeſſion, and particularly of the many occaſions which have led me to the exerciſe of them in this place. It is very true, that I have been in the practice of the law for very many years, and more than once, upon memorable occaſions, in this Court; and yet, with all the experience which, in that long lapſe of time, the moſt inattentive man may be ſuppoſed to have collected, I feel myſelf wholly at a loſs in what manner to addreſs you. I ſpeak unaffectedly when I ſay, that I never felt myſelf in ſo complete a ſtate of embarraſſment in the courſe of my profeſſional life; indeed I hardly know how to collect my faculties at all, or in what faſhion to deal with this moſt extraordinary ſubject. When my learned friend, Mr. Adam, ſpoke from himſelf, and from the emanations of as honourable a mind as ever was beſtowed upon any of the human ſpecies, I know that he ſpoke the truth when he declared

declared his wiſh to conduct the cauſe with all charity, and in the true ſpirit of chriſtianity. But his duties were ſcarcely compatible with his intentions; and we ſhall, therefore, have, in the ſequel, to examine how much of his ſpeech was his own candid addreſs, proceeding from himſelf; and what part of it may be conſidered as arrows from the quiver of his Client. The cauſe of the Biſhop of Bangor can ſuffer nothing from this tribute, which is equally due to friendſhip and to juſtice: On the contrary, I ſhould have thought it material, at any rate, to advert to the advantage which Mr. Grindley might otherwiſe derive from being ſo repreſented. I ſhould have thought it right to guard you againſt blending the Client with the Counſel. It would have been my duty to warn you, not to confound the one with the other, leſt when you hear a liberal and ingenuous man, dealing, as he does, in humane and conciliating expreſſions, and obſerve him with an aſpect of gentleneſs and moderation, you might be led by ſympathy to imagine that ſuch were the feelings, and ſuch had been the conduct, of the man whom he repreſents. On the contrary, I have no difficulty in aſſerting, and I ſhall call upon his Lordſhip to pronounce the law upon the ſubject, That you have before you a proſecution, ſet on foot without the ſmalleſt colour or foundation; a proſecution, hatched in miſchief and in malice, by a man, who is, by his own confeſſion, a diſturber of the public peace; and ſupported throughout by perſons who, upon their own teſtimony, have been his accomplices, and who are now leagued with him in a conſpiracy to turn the tables of juſtice upon thoſe, who came to remonſtrate againſt their violence, to recall them to a ſenſe of their duty, to preſerve the public peace, and to ſecure even the ſanctuaries of Religion from the violation of diſorder and tumult.

What

What then is the cauſe of my embarraſſment?—It is this—In the extraordinary times in which we live; amidſt the vaſt and portentous changes which have ſhaken, and are ſhaking the world; I cannot help imagining, in ſtanding up for a Defendant againſt ſuch Proſecutors, that the Religion and Order, under which this Country has exiſted for ages, had been ſubverted; that anarchy had ſet up her ſtandard; that miſrule had uſurped the ſeat of juſtice, and that the workers of this confuſion and uproar, had obtained the power to queſtion their ſuperiors, and to ſubject them to ignominy and reproach, for venturing only to remonſtrate againſt their violence, and for endeavouring to preſerve tranquillity, by means not only hitherto accounted legal, but which the law has immemorially exacted as an INDISPENSABLE DUTY from all the ſubjects of this realm. Hence it really is that my embarraſſment ariſes; and however this may be conſidered as a ſtrong figure in ſpeaking, and introduced rather to captivate your imaginations than gravely to ſolicit your judgements, yet let me aſk you, Whether it is not the moſt natural train of ideas that can occur to any man, who has been eighteen years in the profeſſion of the Engliſh law?

In the firſt place, Gentlemen, Who are the parties proſecuted and proſecuting? What are the relations they ſtand in to each other? What are the tranſactions, as they have been proved by themſelves? What is the law upon the ſubject? and, What is the ſpirit and temper, the deſign and purpoſe of this nefarious proſecution?

The parties proſecuted are, the Right Reverend Prelate, whoſe name ſtands firſt upon the indictment, and three miniſters and members of his church, together with another, who is added (I know not why) as a defendant. The perſon proſecuting

ſecuting is——*(how ſhall I deſcribe him?)*—For ſurely my learned Friend cou'd not be ſerious when he ſtated the relation between this perſon and the Biſhop of Bangor.—He told you, moſt truly, which renders it leſs neceſſary for me to take up your time upon the ſubject;—that the Biſhop is inveſted with a very large and important juriſdiction—that, by the ancient laws of this kingdom, it extends to many of the moſt material objects in civil life; that is, has the cuſtody and recording of wills, the granting of adminiſtrations, and a juriſdiction over many other rights, of the deepeſt moment to the perſonal property of the King's ſubjects. He told you, alſo, that all theſe complicated authorities, ſubject only to the appellate juriſdiction of the Metropolitan, are veſted in the Biſhop. To which he might have added, (and would, no doubt if his cauſe would have admitted the addition) that the Biſhop himſelf, and not his temporary clerk, has, in the eye of the law, the cuſtody of the records of his church; and that he alſo is the perſon whom the law looks to, for the due adminiſtration of every thing committed to his care; his ſubordinate officers being, of courſe, reſponſible to him for the execution of what the law requires at his hands.

As the King himſelf, who is the fountain of all juriſdictions, cannot exerciſe them himſelf, but only by ſubſtitutes, judicial and miniſterial, to whom, in the various ſubordinations of magiſtracy, his executive authority is delegated, ſo in the deſcending ſcale of eccleſiaſtical authority, the Biſhop alſo has *his* ſubordinates to aſſiſt him judicially, and who have again their ſubordinate officers and ſervants for the performance of thoſe duties committed by law to the Biſhop himſelf; but which he exerciſes through the various deputations which the law ſanctions and confirms.

The Conſiſtory Court, of which this man is the Deputy Regiſtrar, is the Biſhop's Court.—For the

 fulfilment

fulfilment of its duties, the law has allowed him his chancellor and ſuperior judges, who have under them, in the different eccleſiaſtical diviſions, their ſurrogates, who have again their various ſubordinates; the loweſt, and laſt, and leaſt of whom, is the Proſecutor of this indictment; who nevertheleſs conſiders the cathedral church of Bangor, and the court of the Biſhop's ſee, as his own caſtle; and who, under that idea, aſſerts the poſſeſſion of it, *even to the excluſion of the Biſhop himſelf*, by violence and armed reſiſtance!

Do you wonder, now, Gentlemen, that I found it difficult to handle this prepoſterous proceeding? — The Regiſtrar himſelf (putting deputation out of the queſtion) is the very loweſt, laſt, and leaſt of the creatures of the Biſhop's juriſdiction; without a ſhadow of juriſdiction himſelf, either judicial or miniſterial. He ſits, indeed, amongſt the records, becauſe he is to regiſter the acts which are there recorded; but he ſits there as an officer of the Biſhop, and the office is held under the chapter part of the cathedral, and within its conſecrated precincts, where the Biſhop has a juriſdiction, independent of all thoſe which my Friend has ſtated to you—a juriſdiction, given to him by many ancient ſtatutes, not merely for preſerving that tranquillity which civil order demands every where; but to enforce that reverence and ſolemnity, which religion enjoins, within its ſanctuaries, throughout the whole Chriſtian world.

Much has been ſaid of the Regiſtrar's freehold in his office. The term which he has in it—*viz.* for life—aroſe originally from an indulgence to the Biſhop who conferred it; and it is an indulgence which ſtill remains, notwithſtanding the reſtraining ſtatute of Elizabeth.—The Biſhop's appointment of a Regiſtrar is, therefore, binding upon his ſucceſſor—but how binding?—Is it binding to exclude the future Biſhop from his own cathedral?—Is it true, as this

this man prepoſterouſly ſuppoſes, that, becauſe he chuſes to put private papers of his own, where no private papers ought to be—becauſe he thinks fit to remove them from his own houſe, and put them into the office appointed only for the records of the Public—becauſe he mixes his own particular accounts with the archives of the dioceſe—that, therefore, forſooth, he has a right to ouſt the Biſhop from the offices of his own court, and to reſiſt his entrance with piſtols, if he comes even to enjoin quiet and decency in his church?—Surely Bedlam is the proper forum to ſettle the rights of ſuch a claimant.

The Biſhop's authority, on the contrary, is ſo univerſal throughout his dioceſe, that it is laid down by Lord Coke, and followed by all the eccleſiaſtical writers, down to the preſent time, that though the freehold in every church is in the parſon, yet that freehold cannot ouſt the juriſdiction of the Ordinary, who has a right, not merely to be preſent to viſit the conduct of the incumbent, but to ſee that the church is fit for the ſervice of religion: And ſo abſolute and paramount is his juriſdiction, that no man, except by preſcription, can even ſet up or take down a monument, without his licenſe; the conſent of the parſon, though the freehold is in him, being held not to be ſufficient.

The right, therefore, conferred by the Biſhop on the Regiſtrar, and binding (as I admit it to be) upon himſelf and his ſucceſſor, is the right to perform the functions of the office, and to receive the legal emoluments. The Regiſtrar may alſo appoint his Deputy, but not in the manner my learned Friend has affirmed; for the Regiſtrar can appoint no Deputy without the Biſhop's conſent and approbation. My learned Friend has been alſo totally miſinſtructed with regard to the late judgment of the Court of King's Bench on the ſubject. He was not concerned in the motion; and has only his report of it from

his client. Mr. Grindley was repreſented in that motion by a learned Counſel, who now aſſiſts me in this cauſe, to whom I deſire to appeal. The Court never pronounced a ſyllable which touched upon the controverſy of to-day; on the contrary, its judgment was wholly deſtructive of Mr. Grindley's title to be deputy—for it held, that the Infant, and not his *natural* Guardian, had, with the Biſhop's approbation, the appointment of his deputy; whereas Mr. Grindley was appointed by his Father only, and not by the Infant at all, which my friend well knew, and therefore gave parol evidence of his poſſeſſion of the office, inſtead of producing his appointment, which would have been fatal to his title: And the reaſon why the Court refuſed the mandamus, was, becauſe Mr. Roberts, who applied for it, was not a legal deputy. It did not decide, that the Proſecutor *was* the legal officer, but only that Mr. Roberts *was not*; and it decided that he *was not*, becauſe he had only the appointment of the infant's father, which was, by the bye, the only title which the proſecutor had himſelf: and although the infant was a lunatic, and could no longer act in that reſpect for himſelf, yet the Court determined that his authority did not devolve to the father, but to the Court of Chancery, which has, by law, the cuſtody of all lunatics.

This judgment was perfectly correct, and ſupports my propoſition, That the proſecutor was a mere tenant at will of the Biſhop.—The infant can indeed appoint his deputy, but not *ex neceſſitate rei*, as my Friend ſuppoſes; on the contrary, he will find the reaſon given by the Court of King's Bench, as far back as the reign of Charles the Firſt, as it is reported by that great magiſtrate, Mr. Juſtice Croke. It is there ſaid, that an infant can appoint a Deputy, *becauſe the act requires no diſcretion, the approbation, which is tantamount to the choice, being in the Biſhop.* The continuance muſt therefore, in common ſenſe, be in the Biſhop alſo; for otherwiſe, the

the infant having no diſcretion, a proper perſon might be removed indiſcreetly, or an improper perſon might never be removed at all.

I maintain, therefore, on the authority of the ancient law, confirmed by the late deciſion of the Court of King's Bench, *in this very caſe*, that the Proſecutor,—who is ſo forward to maintain a privilege, which he could not have maintained, even if he had been judge of the court, and chancellor of the dioceſe—had, in fact, no more title to the office than I have. He tells you, himſelf, that he never had any appointment from the infant, but from the father only, with the infant's and the Biſhop's approbation; in other words, he was the deputy *de facto:* But, as ſuch, I aſſert he was a mere tenant at will; and, conſequently, became, to all intents and purpoſes, a private man, from the moment the Biſhop ſignified his determination to put an end to his office; and that the Biſhop had ſignified his determination before the tranſaction in queſtion, Mr. Grindley has diſtinctly admitted alſo. I thought, indeed, I ſhould be more likely to get that truth from him, by concealing from him the drift of my examination; and he therefore ſwore, moſt eagerly, that the Biſhop did not offer him the key at the palace; but that, on the contrary, he had told him diſtinctly, that he was no longer in the office. He ſays, beſides, that the Biſhop expreſſed the ſame determination by a letter; in anſwer to which he had declared his reſolution to hold it till the year expired. I ſay, therefore, that the Proſecutor, at the time in queſtion, was not Deputy Regiſtrar, and, that the infant, being a lunatic, the Biſhop had a right to give charge of the office till another was duly appointed. This point of law I will put on the record, if my Friend deſires it.

But why ſhould I exhauſt myſelf with this collateral matter; ſince, in *my* view of the ſubject, it ſignifies nothing to the queſtion we have to conſider?

ſider? It ſignifies not a farthing to the principles on which I preſently mean to reſt my defence, whether he was an uſurper, or the legal deputy, or the infant himſelf with his patent in his hand.

Let us now, therefore, attend to what this man did, whatever character belonged to him.

This is principally to be collected from the Proſecutor's own teſtimony, which is open to ſeveral obſervations.

My learned Friend, who ſtated to you in his abſence, the evidence he expected from him, explained, with great diſtinctneſs, the nature and obligation of an oath; and ſpeaking from his own honeſt ſenſations, and anticipating the evidence of his Client, from the manner he would, as a witneſs, have delivered his own,—he told you, that you would hear from him, a plain, unvarniſhed ſtatement; that he would keep back from you no circumſtance, nor wiſh to give a colour to any part of the tranſaction.—What induced my Friend to aſſure us, with ſo much ſolicitude, that his witneſs would adhere ſo uniformly to the truth, I cannot imagine, unleſs he thought that his evidence ſtood in need of ſome recommendation. All I can ſay is, that he did not at all deſerve the panegyric which was made upon him, for he did not give an unvarniſhed ſtatement of the very beginning of the tranſaction, which produced all that followed. I aſked him, Whether, in refuſing the key, he did not mean to keep an excluſive poſſeſſion of the office, and to prevent the Biſhop even from coming there?—But, obſerve how this gentleman fenced with this plain queſtion—'*I did not*,' he ſaid, '*refuſe him the key*, '*but only leſt he ſhould take poſſeſſion.*'—I aſked him again, 'If he did not poſitively refuſe the key?'—and deſired the anſwer to be taken down.—At that moment my friend, Mr. Manly, very ſeaſonably interpoſed, as ſuch a witneſs required to be dry-nurſed; and at laſt he ſaid, '*Oh, the key was included.*'

The

The Biſhop, therefore, was actually and wilfully excluded wholly from the office. For, notwithſtanding Mr. Grindley's heſitation, Mr. Sharpe, who followed him, and who had not heard his evidence, from the witneſſes being kept apart, ſwore DISTINCTLY AND AT ONCE, that the key was taken from Dodd, becauſe Grindley thought he would let the Biſhop have it; and the witneſs ſaid further—*(I pledge myſelf to his words)*—" IT WAS THEREFORE DELIVERED INTO MY CUSTODY, AND I REFUSED IT TO THE BISHOP—I DID SO BY MR. GRINDLEY'S DIRECTION UNDOUBTEDLY."

The very beginning of the tranſaction, then, is the total excluſion of the Biſhop from his own court, by a perſon appointed only to act as Deputy, by his own conſent, and during his own will; which will he had abſolutely determined before the time in queſtion. I am, therefore, all amazement, when it ſhoots acroſs my mind, that I am exhauſting my ſtrength in defending the Biſhop; becauſe, moſt undoubtedly, I ſhould have been Counſel for him as a Proſecutor, in bringing his opponents to juſtice.

According to this new ſyſtem, I would have the judges take care how they conduct themſelves. The office-keepers of the records of the courts at Weſtminſter, are held by patent; even the Uſher's place of the Court of King's Bench is for life; he too is allowed to appoint his Deputy, who is the man that puts wafers into our boxes, and papers into our drawers, and who hands us our letters in the cleft of a ſtick. But nevertheleſs, I would have their Lordſhips take care how they go into the Court of King's Bench, which it ſeems is this man's caſtle. If Mr. Hewit were to make a noiſe and diſturb the Court, and Lord Kenyon were to order him to be puſhed out, I ſuppoſe we ſhould have his Lordſhip at the next aſſizes for a riot.

Suppoſe

Suppoſe any of the Judges wiſhed to inſpect a record in the Treaſury Chamber, and the clerk ſhould not only refuſe the key, but maintain his poſſeſſion with piſtols; would any man in his ſenſes argue that it was either indictable or indecent to thruſt him out into the ſtreet?—yet, where is the difference between the attendants on a court civil and a court eccleſiaſtical? Where is the difference between the Keeper of the records of the Court of King's Bench or Common Pleas, and the Regiſtrar of the Conſiſtory of Bangor?

To all this I know it may be anſwered, That theſe obſervations (ſuppoſing them to be well-founded) only eſtabliſh the Biſhop's right of entry into his office, and the illegal act of the Proſecutor in taking an excluſive poſſeſſion; but that they do not vindicate the Biſhop for having firſt taken off the lock in his abſence, nor for afterwards diſturbing him in the poſſeſſion which he had peaceably regained; that the law was open to him, and that his perſonal interference was illegal.

To ſettle this point, we muſt firſt have recourſe to facts, and then examine how the law applies to them.

It ſtands admitted, that though Mr. Grindley knew that the Biſhop had determined his will, and had inſiſted on his ſurrender of his ſituation, which he never held but by the Biſhop's ſufferance, he abſolutely refuſed the key, with the deſign to exclude him from the office. It was not till then, that the Biſhop, having no other means of acceſs, ordered the lock to be taken off, and a new key to be made.

Now whether this act of the Biſhop's was legal or illegal, is wholly beſide the queſtion—his Lordſhip is not charged with any force or illegality on that account; he is not accuſed even in the Counſel's ſpeech with any impropriety in this proceeding, except

except an intruſion into this imaginary caſtle of Mr. Grindley.—It is admitted, in ſhort, that the Biſhop took a poſſeſſion *altogether peaceable.*

His Lordſhip then, having removed the Deputy Regiſtrar without due authority, if you pleaſe, and being in peaceable poſſeſſion, contrary to law, let it be ſuppoſed, for any thing which intereſts my argument,—let us ſee what follows.—And in examining this part of the evidence, upon which indeed the whole caſe depends, I am not driven to the common addreſs of a Counſel for a Defendant in a criminal proſecution; I am not obliged to intreat you to ſuſpend your judgments till you hear the other ſide—I am not anxious to caution you to withhold implicit credit from the evidence, till the whole of it is before you.—No, Gentlemen, I am ſo far from being in that painful predicament, that though I know above half of what you have heard is not true; although I know that the tranſaction is diſtorted, perverted, and exaggerated in every limb and member; yet I deſire that you will take it as it is, and find your verdict upon the foundation of its truth. Neither do I deſire to ſeduce your judgments, by reminding you of the delicacy of the caſe. My Friend declares he does not know you perſonally; but that he ſuppoſes you muſt have a natural ſympathy in protecting a perſon in the Biſhop's ſituation againſt an imputation ſo extremely inconſiſtent with the character and dignity of his order. It is natural, as decent men, that you ſhould; and I therefore willingly ſecond my learned Friend in that part of his addreſs. I ſolemnly conjure you alſo to give an impartial judgment—I call upon you to convict or acquit, according to right and juſtice.—God forbid, that you ſhould not!—I aſk no favour for my Client becauſe he is a prelate, but I claim for him the right of an Engliſh ſubject, to vindicate his conduct under the law of the land.

The Biſhop, then, being in peaceable poſſeſſion, what is the conduct of the Proſecutor, even upon his own confeſſion?

He ſends for three men; two of whom he calls domeſtics; one of them is his domeſtic blackſmith —He comes with them, and others, to the office, with piſtols, and provided with powder and ſhot. Now, *quo animo?* did they come—I was really ſo diverted with the nice diſtinction of Mr. Grindley, in his anſwer to this queſtion, that I could ſcarcely preſerve my gravity.—He ſaid, "I came, it is true, with piſtols, and with powder and ſhot, to take poſſeſſion; but--mark—I did not *load* my piſtols in order to *take* poſſeſſion—I did not load them till *after* I had it, and then only to *keep* the poſſeſſion I had peaceably taken."—This would be an admirable defence at the Old Bailey.—A man breaks into my houſe in the day to rob me of my plate —(This is but too apt a quotation, for ſo I loſt the whole of it)—But this felon is a prudent man, and ſays to himſelf—I will not load my fire-arms till I have got into the houſe and taken it, and then I will load them, to defend myſelf againſt the owner, if I am diſcovered.—This is Mr. Grindley's law; and therefore, the moment he had forced the office, he loaded his piſtols, and called aloud repeatedly,—that he would blow out the brains of the firſt man that entered.—A piſtol had before been held to the breaſt of one of the Biſhop's ſervants; and things were in this poſture when the Biſhop came to the ſpot, and was admitted into the office. The lock which he had affixed he found taken off, the doors forced open, and the apartment occupied by armed men, threatening violence to all who ſhould oppoſe them.

THIS IS MR. GRINDLEY'S OWN ACCOUNT.—He admits, that he had loaded his piſtol before the Biſhop came; that he had determined to ſtand, *vi et armis*, to maintain poſſeſſion

ſion by violence, and by death if neceſſary; and that he had made that open declaration in the hearing of the Biſhop of the dioceſe.—Perhaps Mr. Grindley may wiſh, hereafter, that he had not made this declaration ſo public; for whatever may be the Biſhop's forbearance, yet the criminal law may yet interpoſe by other inſtruments, and by other means. Indeed, I am truly ſorry to be diſcuſſing this matter for a Defendant in July, which ought to have been the accuſation of a Proſecutor ſix months ago, if the public peace of the realm had been duly vindicated.

The Biſhop, then, being at the door, and hearing his office was taken poſſeſſion of by force, and by the very man whom he had diſplaced, the queſtion is, Did he do more than the law entitled him to in that conjuncture?—I maintain, that, from over forbearance, he did much leſs. If in this ſcene of diſorder the records of the dioceſe had been loſt, mutilated, or even diſplaced, the Biſhop, if not legally, would at the leaſt have been morally reſponſible. It was his duty, beſides, to command decency within the precincts of his church, and to remove at a diſtance from it all diſturbers of the peace.—And what, after all, did the Biſhop do?—He walked up and down, remonſtrating with the rioters, and deſiring them to go out, having before ſent for a magiſtrate to act according to his diſcretion. It is true, Mr. Grindley worked himſelf up to ſay, that the Biſhop held up his fiſt ſo *(deſcribing it)*; but, with all his zeal, he will not venture to ſwear he did ſo with a declaration, or even with an appearance of an intention to ſtrike him. The whole, that he can ſcrew up his conſcience to, is, to put the Biſhop in an attitude, which is contradicted by every one of his own witneſſes—who all ſay, that the Biſhop ſeemed much ſurprized, and walked to and fro, ſaying, "this is fine work!"—and moving his hands backwards and forwards thus *(deſcribing*

The Biſhop, then, being in peaceable poſſeſſion, what is the conduct of the Proſecutor, even upon his own confeſſion?

He ſends for three men; two of whom he calls domeſtics; one of them is his domeſtic blackſmith —He comes with them, and others, to the office, with piſtols, and provided with powder and ſhot. Now, *quo animo?* did they come—I was really ſo diverted with the nice diſtinction of Mr. Grindley, in his anſwer to this queſtion, that I could ſcarcely preſerve my gravity.—He ſaid, "I came, it is true, with piſtols, and with powder and ſhot, to take poſſeſſion; but—mark—I did not *load* my piſtols in order to *take* poſſeſſion—I did not load them till *after* I had it, and then only to *keep* the poſſeſſion I had peaceably taken."—This would be an admirable defence at the Old Bailey.—A man breaks into my houſe in the day to rob me of my plate —(This is but too apt a quotation, for ſo I loſt the whole of it)—But this felon is a prudent man, and ſays to himſelf—I will not load my fire-arms till I have got into the houſe and taken it, and then I will load them, to defend myſelf againſt the owner, if I am diſcovered.—This is Mr. Grindley's law; and therefore, the moment he had forced the office, he loaded his piſtols, and called aloud repeatedly,—that he would blow out the brains of the firſt man that entered.—A piſtol had before been held to the breaſt of one of the Biſhop's ſervants; and things were in this poſture when the Biſhop came to the ſpot, and was admitted into the office. The lock which he had affixed he found taken off, the doors forced open, and the apartment occupied by armed men, threatening violence to all who ſhould oppoſe them.

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it). Does this account at all correſpond with Mr. Grindley's? or does it prove an attitude of force, or even an expreſſion of paſſion? on the contrary, it appears to me the moſt natural conduct in the world.

They may fancy, perhaps, that they expoſe the Biſhop when they impute to him the common feelings, or, if you pleaſe, the indignation of a man, when all order is inſulted in his preſence, and a ſhameleſs outrage committed in the very ſanctuary which he is called upon, by the duty of his office, and the dignity of his ſtation, to repreſs. Is it required of any man, either by human nature, or by human laws (whatever may be the ſanctity of his character) to look at ſuch a proceeding unmoved? Would it have been wrong, or indecent, if he had even FORCIBLY removed them. I SAY, IT WAS HIS DUTY TO HAVE DONE SO, WHOEVER WERE THE OFFENDERS; whether the Deputy Regiſtrar, the Regiſtrar himſelf, or the higheſt man in the kingdom.

To come at once to the point: I maintain, that at the time the Biſhop came to the door, at which very moment Grindley was threatening to ſhoot the firſt perſon that entered, which made ſomebody ſay, "Will you ſhoot the Biſhop?"—I maintain, at that very moment three indictable offences were committing, which put every man upon the level of a magiſtrate, with regard to authority, and even preſcribed a duty to every man to ſuppreſs them. In the firſt, there was AN AFFRAY; which my Friend did not define to you, but which I will. Mr. Serjeant Hawkins, tranſcribing from the ancient authorities, and whoſe definition is confirmed by every day's practice, defines an affray thus: "It is an af-
"fray, though there is neither actual violence nor
"threat of violence, where a man arms himſelf with
"dangerous weapons in ſuch a manner as will na-
"turally cauſe terror;"—and this was always an of-

fence

ſence at common law, and prohibited by many ſtatutes.

Let us meaſure Mr. Grindley's conduct, upon his own account of it, by the ſtandard of this law, and examine whether he was guilty of an affray. He certainly threatened violence; but I will throw him *in* that, as I ſhall examine his threatening when I preſent him to you in the character of a rioter. I will ſuppoſe then, that he threatened no violence; yet he was armed with dangerous weapons in ſuch a manner as would naturally create terror. He tells you, with an air of triumph, that he brought the arms for that expreſs purpoſe, and that he diſperſed thoſe who came to diſturb him in his caſtle. He was, therefore, clearly guilty of an affray.

Let us next ſee what the law is, as it regards all the King's ſubjects, when an affray is committed. The ſame authorities ſay "That"—I read from Mr. Serjeant Hawkins, who collects the reſult of them, "That any private man may ſtop and reſiſt all per-"ſons engaged in an affray, and remove them; "that if he receive a hurt in thus preſerving the "peace, he may maintain an action for damages; "and that if he unavoidably hurt any of the par-"ties offending in doing that which the law both "allows and commends, he may well juſtify it, for "he is no ways in fault."

Setting aſide, therefore, the office and authority of the Biſhop, and the place where it was committed, and conſidering him only as a private ſubject, with no power of magiſtracy, he had a right to do —not that which he did *(for in fact he did nothing)* he had a right to remove them by main force, and to call others to aſſiſt in removing and ſecuring them. The Biſhop, however, did neither of theſe things; he took a more regular courſe; he ſent for a magiſtrate to preſerve the peace; he had, indeed, ſent for him before he came himſelf; yet,

they would have you believe, that he went there for an illegal purpoſe, as if any man who intended violence, would ſend for a magiſtrate to witneſs the commiſſion of it. When the magiſtrate came, Mr. Grindley thought fit to behave a little more decently; and ſo far was the Biſhop from acting with paſſion or reſentment, that when thoſe about him were deſirous of interfering, and offered their ſervices to turn them out, he ſaid to them, "No! let the law take its courſe in due ſeaſon." His Lordſhip, by this anſwer, ſhewed a greater regard for peace than recollection of the law; for the courſe of the law did warrant their forcible removal; inſtead of which, he left the Proſecutor, with arms in his hands, in a poſſeſſion, taken originally by force and forcibly maintained.

Let us next examine if the Proſecutor, and his witneſſes, were engaged in a riot.—My learned Friend will forgive me if I remind him, that there is one part of the legal definition of a riot, which he omitted. I will therefore ſupply the omiſſion from the ſame authorities. "A riot is, where three "perſons, or more, aſſemble together with an in-"tent, mutually, to aſſiſt one another againſt any "who ſhall oppoſe them in the execution of ſome "enterpriſe of a private nature, and afterwards "actually execute the ſame in a turbulent man-"ner, to the terror of the people, whether the act "intended be legal or illegal." But the ſame authorities add very properly—"It is clearly agreed, "that in every riot there muſt be ſome ſuch cir-"cumſtances, either of actual force and violence, "or of an apparent tending to ſtrike terror into "the people, becauſe a riot muſt always be laid in "*terrorem populi.*"

This moſt important part of the definition of a riot, which my Friend prudently omitted, points, directly and concluſively upon the conduct of his own Client, and completely excludes mine. The Proſecutor,

Proſecutor, and his witneſſes, did aſſemble mutually to ſupport one another, and executed their purpoſe with arms in their hands, and with threats and terror; which concluſively conſtitutes a riot, whether he was Regiſtrar, or not, and whatever might be his right of poſſeſſion.

The Biſhop, on the other hand, though he might have no right to remove the Proſecutor, nor any right to poſſeſſion, could not poſſibly be a rioter, for he came without violence or terror, or the means of either, and if he had employed them, might lawfully have uſed them againſt thoſe who were employing both.

Let us now further examine, whether I was right in maintaining, that there was an aggravation, from the place where the offence was committed, and which inveſted the Biſhop with a diſtinct character and authority.

By the ſtatute of Edward the Sixth, if perſons come tumultuouſly within the conſecrated precincts of the church, the Ordinary has not only a right to repreſs them, but he may excommunicate the offenders; who are, beſides, liable to a ſevere and ignominious temporal puniſhment, after a conviction on indictment, even for an indecent brawling within the precincts of the church, without any act at all, which would amount to a riot or an affray.

Let us then, for a moment, reflect, how theſe ſolemn authorities, and any poſſible offence in the reverend Prelate, can poſſibly be reconciled; and let us contemplate, alſo, the condition of England, if it be eſtabliſhed as a precedent upon the fact before you, that he is amenable to criminal juriſdiction upon this record.

A riot may ariſe in the ſtreet, the moment after your verdict is pronounced, by perſons determined to take and to maintain ſome poſſeſſion by force.

I may

I may ſee or hear armed men threatening death to all who ſhall oppoſe them; yet I ſhould not venture to interpoſe to reſtore the peace, becauſe I cannot try their titles, nor examine to which of the contending parties the matter in controverſy may belong.

If this new doctrine is to be eſtabliſhed, aſk yourſelves this queſtion—Who will in future interfere to maintain that tranquillity, which the Magiſtrate may come too late to preſerve, if the rein is given to diſorder in the beginning? Although dangerous violence may be committing, though public order may be trampled down within his view, a wiſe man will keep hereafter within the walls of his own houſe. Though fearleſs of danger to his perſon, he may yet juſtly fear for his reputation, ſince, if he only aſks what is the matter, and interpoſes his authority or counſel, he may be put, by the rioters, into an attitude of defiance, and may be ſubjected to the expence and degradation of a proſecution! The delicate ſituation of the Biſhop, at this moment criminally accuſed before you, is admitted; but it is hardly more, Gentlemen, than would attach upon perſons of many other deſcriptions. The ſame ſituation would not be much leſs diſtreſſing to a Judge, to a Member of Parliament, or to any of you, Gentlemen, whom I am addreſſing. What would be the condition of the Public, or of your own, if you might be thus dragged to the Aſſizes as rioters, by the very rioters which your duty had driven you to offend? I aſſert, that Society could not exiſt for an hour, if its laws were thus calculated to encourage its deſtroyers, and to puniſh its protectors.

Gentlemen: There is no man loves freedom better than I do; there is no man, I hope, who would more ſtrenuouſly oppoſe himſelf to proud and inſolent domination in men of authority, whether proceeding

ceeding from miniſters of the church, or magiſtrates of the ſtate. There is no man, who would feel leſs diſpoſed to ſtep beyond my abſolutely impoſed duty as an advocate, to ſupport oppreſſion, or to argue away the privileges of an Engliſhman.

I admit, that an Engliſhman's houſe is his caſtle; and I recollect and recognize all the liberties he ought to enjoy. My Friend, and I, are not likely to differ, as to what an Engliſhman's freedom conſiſts in. The freedom that he and I love and contend for, is the ſame. It is a freedom that grows out of, and ſtands firm upon, the law; it is a freedom, which reſts upon the ancient inſtitutions of our wiſe forefathers; it is a freedom which is not only conſiſtent with, but which can not exiſt without public order and peace; and, above all, it is a freedom, cemented by morals, and ſtill more exalted by a reverence for Religion, which is the parent of that charity, humanity, and mild character, which has formed, for ages, the glory of this country.

Gentlemen: My learned Friend takes notice, that this cauſe has been removed from its primitive tribunal, in order to be tried before you at Shrewſbury. He tells you, he never ſaw the affidavit that was the foundation of its removal; which, however, he with great propriety, ſuppoſes contained matter which made it appear to Lord Kenyon to be his duty to withdraw the trial from its proper forum in Wales. But, he is inſtructed by Mr. Grindley to deny that any thing was done, either by himſelf, or any other perſon connected with him, to prejudice that tribunal, or the country which was to ſupply it. I, on the other hand, aſſert, that, upon the Proſecutor's own evidence, greater injuſtice and malice never marked any judicial proceeding. I have in my hand a book (no matter by whom written) circulated induſtriouſly through all Wales, to prejudice the public mind upon the very queſ-

tion before you. But Mr. Grindley, it ſeems, is not reſponſible for the acts of this anonymous libeller.—How far he is reſponſible, it is for you to judge. It is for you to ſettle, how it happened that the author of this book ſhould have it in his power, minutely to narrate every circumſtance which Mr. Grindley has himſelf been ſwearing to; and that he ſhould happen, beſides, to paint them in the very ſame colours, and to ſwell them with the ſame exaggerations, with which they have been this morning accompanied. It will be for you to calculate the chances that ſhould bring, into the ſame book, under inverted commas, a long correſpondence between the Biſhop of Bangor and this very Perſon. —Gentlemen, he admits, upon his oath, "that he "furniſhed the materials from whence that part of "the work, at leaſt, might have reached the au-"thor;" and from thence it will be for you to gueſs, what ſhare he had in the remainder. All I know is, that from that time forward the Biſhop's character has been torn to pieces, not from this pamphlet alone, but by a peſtilential blaſt of libels, following one another; ſo that it has been impoſſible to read a news-paper, without having announced to us this miſerable cauſe, and the enquiries to be inſtituted in Parliament, which were to follow the deciſion.

Gentlemen: The ſame ſpirit purſues the cauſe even into this place, proceeding from the ſame tainted ſource. My Friend tempers his diſcourſe with that decorum and reſpect for Religion, which is inſeparable from the lips of ſo good a man. He tells you, that it has been wittily ſaid of the Clergy, and his Client deſires him to add, "truly too"—that the clergy have found what Archimedes wiſhed for in vain—"a fulcrum, from whence to move the world;" he tells you, "that it is recorded of that great Philoſopher, tha the deſired but to have a fulcrum for his engine

engine, to enable him to accompliſh it."—"Churchmen," ſays Mr. Grindley, by the mouth of Mr. Adam—who cannot abandon his Client, and who, as a ſort of ſet-off againſt his own honour and moderation, is obliged to inhale the ſpirit of his Client—"The Church," ſays Mr. Grindley, "has found this fulcrum in the other world, and it is by playing off this world, that they enthrall the world we live in.' He admits, indeed, that when they employ their authority to enforce the true purpoſes of Religion, they have a right to that awful fulcrum upon which their engine is placed, and then their office will inſpire reverence and ſubmiſſion; but when they make uſe of it for the loweſt and violent purpoſes, for ends deſtructive alike to religion and civil ſociety, then it is, that diſgrace not only falls upon its individuals, but deſtruction overtakes the order.

My learned Friend, by his Client's inſtruction, then immediately applies this general reflection; and ſays, "that he can diſcover no other reaſon, why the Biſhop would no longer permit Mr. Grindley to hold the office, than that he had deviated from his celeſtial courſe, had looked to the vile and ſordid affairs of the world, and proſtituted the ſacred dignity of his character to purpoſes which would degrade men in the loweſt ſituations of the world."—My Friend ſaid, acroſs the Court, that he had never ſeen the pamphlet. Good God! I believe it. But I have ſeen it; and I have no doubt that one half of it is copied into his brief: it is written in this very ſpirit; it brings before the Biſhop the events of France; it warns him of the fate of his brethren in that country, as an awful leſſon to eccleſiaſtics of all ranks and denominations, and reminds him, that 18 archbiſhops, 118 biſhops, 11,850 canons, 3,000 ſuperiors of convents, and a revenue of fifteen million ſterling, were on a ſudden ſwept

away. [*Mr. Erſkine here read an extract from the pamphlet:*] and then continued,

Gentlemen: All this is mighty well; but he muſt be but little acquainted with the calamities of France, who believes that this was the ſource of them. It was from no ſuch cauſes that theſe horrors and calamities aroſe, which have disfigured and diſhonoured the revolution, and which have clouded and obſcured the otherwiſe majeſtic courſe of freedom;—horrors and calamities which have inſpired an alarm into many good men, and furniſhed a pretext for many wicked ones, in our own country. It was the profligacy and corruption of the French STATE, and not the immorality of her CLERGY which produced her ſudden and extraordinary criſis, in the vortex of which the church, and almoſt religion itſelf, was ſwallowed up. The clergy of France was pulled down in the very manner of this pamphlet. A trumpet was blown againſt their order — the maſſacre of St. Bartholomew was acted upon the ſtage, and the Cardinal of Loraine introduced upon it, exciting to murder, in the robes of his ſacred order. It is aſked, by a moſt eloquent writer (with whom I do not agree in many things, as I do in this) whether this horrid ſpectacle was introduced to inſpire the French people with a juſt horror of blood and perſecution?—and he anſwers the queſtion himſelf by ſaying, That it was to excite the indignation of the French nation againſt religion and its offices; and that it had its effect. "That, by ſuch means, "the archbiſhop of Paris, a man only known to "his Flock by his prayers and benedictions, and "the extent of whoſe vaſt revenues could be beſt "aſcertained by his unexampled charity to the un-"happy, was to be hunted down like a wild beaſt, "merely becauſe the Cardinal of Loraine, in the "ſixteenth century, had been a rebel and a mur-"derer."

In

In the ſame manner this Pamphlet, through the medium of abuſe upon the Biſhop of Bangor, is obviouſly calculated to abuſe the minds of the lower orders of the people againſt the Church, and to deſtroy the beſt conſolation of human life, by bringing the ſanctions of religion into doubt and diſrepute. I am, myſelf, no member of the church of England, nor do I know that my Friend is—we were both born in another part of the iſland, and educated in other forms of worſhip; but we reſpect the offices of Religion, in whatever hands they are placed by the laws of our country: and certainly the Engliſh Clergy never ſtood higher than they do to-day, when Mr. Adam, ſo thoroughly acquainted with the hiſtory of his country, as far as it is ancient, and who, from his perſonal and profeſſional connexions, is ſo perfectly acquainted with all that paſſes in the world of our own day, is drawn back to the times of Laud and Woolſey, to ſearch for Engliſh prelates, who have been a reproach to the order; and when he would repreſent tyranny and oppreſſion in churchmen, he is forced back upon an unreformed church, and to ages of darkneſs and ſuperſtition; becauſe it would have been in vain to look for them under the ſhadow of that mild religion which has promoted ſuch a ſpirit of humanity, and ſtamped ſuch a character upon our country, that if it ſhould ever pleaſe God to permit her to be agitated like neighbouring Nations, the happy difference would be ſeen between men who reverence religion, and thoſe who ſet out with deſtroying it.

The Biſhops, beſides (to do them common juſtice) are certainly the laſt of the clergy that ſhould be attacked.—Tho' the indulgent ſpirit of reformed Chriſtianity, recollecting that, though inveſted with a divine office, they are men with human paſſions and affections; permits them to mix in all the cuſtomary indulgences, which, without corrupting our morals, conſtitute much of the comfort and happineſs of our lives

lives; yet, they in a manner ſeparate themſelves from their own families; and, whilſt the other orders of the clergy, even the moſt dignified, enjoy (without being condemned for it) the amuſements which taſte and refinement ſpread before us, no Biſhop is found within theſe haunts of diſſipaton.—So far from ſubjecting themſelves to be brought to the aſſizes for riot and diſorder, they thus refuſe many of the harmleſs gratifications, which, perhaps, rather give a grace and ornament to virtue, than disfigure the character of a Chriſtian; and I am ſure, the reverend Prelate, whom I repreſent, has never overſtepped thoſe limits, which a decorum, perhaps overſtrained, has by cuſtom impoſed upon the whole order. The Biſhop's individual character, like every other man's, muſt be gathered from his life, which, I have always underſtood, has been eminently uſeful and virtuous. I know he is connected with thoſe, whoſe lives are both; and who muſt be ſuffering diſtreſs at this moment from theſe proceedings. He is nearly allied to one, whoſe extraordinary knowledge enables him to fulfil the duties of a warm benevolence, in reſtoring health to the ſick, and in bringing back hope and conſolation along with it, to families in the bitterneſs of affliction and diſtreſs. I have, more than once, received that bleſſing at his hands, which has added, not a little, to the anxiety which I feel upon this occaſion.

Gentlemen:—I am inſtructed, and indeed preſſed, by the anxiety of the Biſhop's friends, to call many witneſſes, to ſhew, that he was by no means perturbed with paſſion, as has been repreſented, and that, ſo far from it, he even repreſſed thoſe, whoſe zeal for order, and whoſe affection for his perſon, prompted them to interfere; ſaying to them, "The law will interpoſe in due ſeaſon."—I have witneſſes, to a great number, whom I am preſſed

preſſed to call before you, who would contradict Mr. Grindley in the moſt material parts of his teſtimony; but then I feel the advantage he would derive from this unneceſſary courſe; he would have an opportunity, from it, to deprive the reverend Prelate of the teſtimony and protection of your approbation. He would ſay, no doubt, "Oh, I made out the caſe which vindicated my proſecution, tho' it was afterwards overturned by the teſtimony of perſons in the Biſhop's ſuite, and implicitly devoted to his ſervice: I laid facts before the Jury, from which a conviction muſt have followed, and I am not reſponſible for the falſe gloſſes by which his witneſſes have perverted them."—This would be the language of the Proſecutor; and I am, therefore, extremely anxious that your verdict ſhould proceed upon the facts as they now ſtand before the Court, and that you ſhould repel, with indignation, a charge which is defeated by the very evidence which has been given to ſupport it. I cannot, beſides, endure the humiliation of fighting with a ſhadow, and the imprudence of giving importance, to what I hold to be nothing, by putting any thing in the ſcale againſt it; a conduct, which would amount to a confeſſion that ſomething had been proved which demanded an anſwer. How far thoſe, from whom my inſtructions come, may think me warranted in purſuing this courſe, I do not know; but the deciſion of that queſtion will not reſt with either of us, if your good ſenſe and conſciences ſhould (as I am perſuaded they will) give an immediate and ſeaſonable ſanction to this concluſion of the trial.

Mr. Erſkine, after conſulting a few minutes with Mr. Plumer, Mr. Leyceſter, and Mr. Milles, informed the Court he ſhould give no Evidence.

Summing

Summing up.

Mr. Juſtice Heath.

Gentlemen of the Jury,

THIS is an Indictment againſt the Biſhop of Bangor, Hugh Owen, John Roberts, John Williams, and Thomas Jones. The indictment ſtates, "That Samuel Grindley (who it ſeems is the Proſecutor of this indictment) on the 8th of January laſt, was Deputy Regiſtrar of the Epiſcopal and Conſiſtorial Court of the Biſhop of Bangor, and that, in right of his office, he had the uſe of a room adjoining to the Cathedral Church of Bangor, called The Regiſtrar's Office, for tranſacting the buſineſs of his office: That the Defendants, intending to diſturb the Proſecutor in the Execution of his office of Deputy Regiſtrar, on the 8th of January laſt, riotouſly aſſembled and unlawfully broke the Regiſtrar's Office, and remained there for an hour, and continued making a great diſturbance, and aſſaulted the Proſecutor, and ſtirred up a riot."

This, Gentlemen, is the ſubſtance of the indictment.—The definition of a riot has been truly ſtated to you; it may be collected, indeed, from the indictment itſelf; and that is, when two or more perſons aſſemble together with an intent mutually to aſſiſt each other, and to reſiſt all thoſe who ſhould oppoſe them, and with a further intent to break the peace;—and it is likewiſe for a private purpoſe.

Now, before I ſum up the evidence, I ſhall ſtate thoſe things particularly, to which you ſhould direct your attention; and you will conſider how the evidence applies in ſupport of the indictment. It muſt be firſt proved, to your ſatisfaction, that the Proſe-

tutor is Deputy Regiſtrar of this Conſiſtorial Court of the Biſhop of Bangor; that, in right of that office, he had the uſe of this room to tranſact his buſineſs there; that the Defendants, intending to diſturb him in his office, riotouſly aſſembled to diſturb the peace, and broke and entered the office-room, and continued there, making a great diſturbance, aſſerting that he had aſſumed an office which did not belong to him, and making a riot there. Theſe things muſt be proved to your ſatisfaction.—I will comment upon the evidence as I ſhall ſtate it to you.

Samuel Grindley, the Proſecutor, tells you, that in February 1792 he was appointed Agent to the Biſhop of Bangor, and he afterwards held the office of Deputy Regiſtrar, under Mr. Gunning, who, it ſeems, was a minor—that he ſaw Mr. Gunning, the Regiſtrar, in October 1794—that he paid ſeventy pounds a year to the Biſhop, on account of Mr. Gunning his principal—that the Biſhop was the perſon who made the bargain between him and his principal—that he entered on his office as Deputy. —He ſays, that he was invited by the Biſhop, and that the Biſhop introduced him (the Proſecutor) to Mr. Gunning, as the Principal Regiſtrar, and introduced the Principal Regiſtrar to the Witneſs as his Deputy.—He ſays that there was no complaint that he had not diſcharged the duties of his office; and that he continued to diſcharge the duties of his office till the 22d of February laſt.—He ſays, that there is an apartment belonging to this office, which, it ſeems, is under the Chapter-houſe adjoining to the Cathedral—that there is a flight of ſteps going up to it—that he employs his Clerks in the office, and he has a reſident Clerk there.—He ſays, he told the Biſhop that he would reſign on the 22d of February laſt—that on the fourth of January, he was abſent from Bangor, and returned on the ſeventh, having received information that his

office had been broken open – that the Biſhop afterwards acknowledged to him, that it had been broken open by his (the Biſhop's) ſervants, under his direction.—He ſays, that ſome panes of glaſs had been taken down, the leads had been removed, and freſh locks had been put upon the doors. All this the Biſhop acknowledged.—And then he gives you an account of his coming there; of his breaking open the door, and his entering again.

Let us conſider, ſo far as this, how it applies. In the firſt place, it certainly does not lie in the mouth of the Biſhop to ſay, that this man was not properly appointed to his office—he was in the exerciſe of his office—he had made an agreement with his Principal, and he paid him ſeventy pounds a year – that the Biſhop was the perſon who negotiated the buſineſs; and he gave the Biſhop notice that he meant to give up his office on the 22d of February—but you ſee, between the 4th and the 7th of January, before the time the Proſecutor had appointed for reſigning his office, the Biſhop thought proper to go to the office and break open the lock, and then, it is contended, on the part of the Defendants, that the Biſhop was in peaceable poſſeſſion – it is contended too, that, as Biſhop, he had a juriſdiction in this Cathedral – that, becauſe the Deputy Regiſtrar muſt be confirmed by the Biſhop, that the Proſecutor is only tenant at will to the Biſhop—that he never had a legal appointment, and therefore the Biſhop had a power of diſmiſſing him.

Now, in the firſt place, ſuppoſing it to be proved, that the Biſhop had a power of diſmiſſing him (which does not appear one way or the other) it does not follow from thence, that he ought to do it by force or violence, he ought to do it by proceſs of law. It happens in this country, that the Lord Chief Juſtices of the Courts of King's Bench and Common Pleas, have a right of

appointing officers;—the Judges attending the court at the Old Bailey, have a right of appointing the officers there;—and queſtions have frequently ariſen concerning this power of appointment, whether rightfully or wrongfully exerciſed.—What is the mode of deciding it? each party appoints his officer, and then one brings his action, and it is determined by due courſe of law.—If the Biſhop had a right of diſpoſſeſſing this man, which does not appear to me, becauſe, though the appointment of a Deputy might not be good without the approbation of the Biſhop, it does not follow from thence, that the Biſhop had a right to withdraw that approbation and that confirmation, after it was given. Whether he can, or can not, is a queſtion I am not prepared to decide, and it is immaterial to the preſent queſtion; it is enough to ſay, that if the Biſhop had that right and that power, it behoved him to have cauſed Mr. Gunning to have appointed another Deputy, and then that Deputy ought to have tried the right.—The queſtion then is, was the Biſhop in peaceable poſſeſſion? No man is in peaceable poſſeſſion of any place which he comes to by force and violence—the Biſhop exerciſed force and violence in this reſpect, in breaking the lock, and in putting on a new lock—therefore, the force and violence was on the part of the Biſhop;—he was never in peaceable poſſeſſion of this place, nor could he have a right to come and put this lock upon the door.

Let us purſue this matter by ſteps.—The Proſecutor ſaid he came armed with piſtols—that was, I think, improper; he ought not to have armed himſelf with piſtols in that faſhion.—He broke open the lock, and he entered—that was not improper; he being in poſſeſſion of this office, it was lawful for him to do ſo.—Then, it ſeems, a Mr. Raſbrook came, who is a perſon exerciſing ſome office under the Biſhop, his houſe-ſteward, I think—

he came, and the Proſecutor preſented a piſtol to him—that was highly improper. A man has a right to arm himſelf, and to aſſemble his friends in defence of his houſe; but the law allows no more, becauſe the houſe is his ſanctuary; to arm himſelf, and aſſemble his friends in defence of his cloſe; becauſe he ought to have recourſe to legal means, if he is injured; and therefore, the Proſecutor certainly acted with a greater degree of force and violence, in that reſpect, than he ought to have done. But then that was no legal excuſe for the Biſhop's coming afterwards in the manner that he did. The Proſecutor's preſenting a piſtol to Raſbrook, could be no inducement to the Biſhop, and the other Defendants, becauſe they were not preſent, and their paſſions were not provoked by it.

The Biſhop, in this caſe, Gentlemen, ſeems to have laboured certainly under two very great errors —firſt of all, that he had a right to remove the Proſecutor; and, ſecondly, that he had a right to remove him by force and violence.—Then theſe perſons were removed out of the office, the outer door was ſecured, by ſome means, by the Proſecutor, and the ſeveral perſons with him.—It is ſaid that they were guilty of a riot. I think, certainly, they were guilty of no riot *at this time*; they were guilty of a miſdemeanor in arming themſelves, but they ſtood merely upon the defenſive.—No perſon, as I told you before, is juſtified in arming himſelf and his ſervants to defend his cloſe; but if he does arm himſelf and his ſervants to defend his cloſe, and oppoſes no perſon without the cloſe, then he is guilty of no riot whatever.

The queſtion is, Whether or no they are guilty of ſuch a breach of the peace—of an act of ſo much force and violence, as to conſtitute a riot.—When there was a knocking at the door, the Proſecutor ſaid he would ſhoot any one who ſhould enter;

enter; which, I ſaid before, he was not warranted in doing. Being told the Biſhop was there, he ſaid he would treat him with all poſſible reſpect, and he opened the door, and admitted him and his followers; and then, he ſays, he loaded another piſtol.—He tells you, the Biſhop entered in a great rage. Whether there was any rage or paſſion, or no, is only material to ſhew whether or no the reſt of the ſtory is probable; becauſe, his being in a rage, does not prove him guilty of a breach of the peace. The queſtion is, whether he has committed any acts in breach of the peace?—Firſt of all, the Proſecutor tells you, that he told the Biſhop he ſhould behave with proper reſpect to him, but he ſhould not leave the office—he ſwears that the Biſhop took hold of him; and afterwards he went to William Roberts, an huſbandman belonging to the witneſs; he then went to another ſervant, Robert Davis, and attempted to pull him out—that the Biſhop returned to William Roberts, collared him, and drew him towards the door—that the Biſhop went with his hands clinched towards the witneſs; and the witneſs deſcribes the manner in which he (the Biſhop) went towards him.—Now his taking hold of the witneſs is an aſſault.—He ſays, he attempted to pull him out—his ſeizing hold of him is an aſſault—his returning to William Roberts, and collaring him, and puſhing him totowards the door, is another aſſault—his going with his hands clinched towards him in a menacing way, if he were near enough to ſtrike him, would be an aſſault; if not near enough to ſtrike him, it would not be an aſſault—and then he called to his ſervants to come and pull him out—that is a breach of the peace, coming and removing them all by force and violence.

Then there is that which paſſes in reſpect to Mr. Roberts.—The Proſecutor and the other witneſſes tell you, that Roberts was in a great rage—he cannot

not ſay whether he entered before or after the orders given by the Biſhop; that he clinched his fiſt, and ſaid, if nobody will turn him (meaning the Proſecutor) out, I will do it.—The Biſhop ſaid, the Proſecutor had piſtols; upon which Roberts ſaid, in an outrageous manner, do not ſhoot the Biſhop, ſhoot me; and ſaid, that if nobody elſe would turn the Proſecutor out, he would.—He aſked the Proſecutor to go on one ſide with him, into the church-yard, and ſaid, he was not afraid of him in any place.—The witneſs ſaid, he had ſomething elſe to attend to; and another of the witneſſes ſaid, he promiſed to meet him at ſome other time and place.—This is, you ſee, a challenge by Roberts to fight the Proſecutor—why that is a breach of the peace.—The Biſhop is preſent; he is the perſon who tells Roberts that the Proſecutor had piſtols—then the Biſhop hears this challenge.—They all came upon one deſign.—When ſeveral perſons come upon an illegal deſign or purpoſe, the act of one, eſpecially if in the preſence of all, is the act of all.

This, Gentlemen, is the ſum of the evidence on the one ſide; and there is no evidence on the other.

The Biſhop, no doubt, is a man of an excellent character; but at this moment he gave way to his temper. He ought to have followed the proceſs of the law, and not ſo to have done. Thus much I have ſaid affects the Biſhop, and affects Roberts.—As to Owen, the Proſecutor ſays that Owen came into the office; he made a noiſe; he talked very loud. The witneſs told him, if he had any buſineſs, he was there ready to tranſact it, otherwiſe he begged they would go about their buſineſs. He only ſpeaks to his making a noiſe.—John Williams, he ſays, was leſs noiſy than the reſt.—The witneſs aſked what buſineſs he had there; and told him to go about his buſineſs. He

ſays,

ſays, he ſtaid there againſt his will; he ſtaid after the reſt went away.

Upon this it is neceſſary for me to ſtate, as I did before, that the other Defendants, coming with the Biſhop upon the ſame deſign, by force and violence, to diſpoſſeſs the Proſecutor, undoubtedly they came with an unlawful intent and purpoſe; and, if you believe theſe witneſſes, they were guilty of the ſeveral breaches of the peace which I have ſtated—in aſſaulting the Proſecutor—in aſſaulting David Roberts, in aſſaulting William Roberts, and in the Defendant Roberts chailenging the Proſecutor,—if you believe theſe witneſſes, it ſeems to me that the Defendants are guilty of the riot with which they ſtand charged.—As for the force and violence which the Proſecutor made uſe of, all that may be urged in another place in mitigation of the puniſhment; it is only for you to determine whether they, or each of them, are guilty of this riot.

Mr. Erſkine. The two laſt witneſſes ſtated a direct contradiction.

Mr. Juſtice Heath. The law is clear and plain; you will apply the law to the facts as I have ſtated them.—You will baniſh all prejudices that you may have from all publication.—It is, indeed, unneceſſary to admoniſh Gentlemen of your enlightened underſtanding; but at the ſame time, conſidering that individuals are to be tried by the law of the land, if they are guilty, notwithſtanding the high character they may deſervedly have, down to this time, it is your duty to find them guilty. If you have any reaſonable doubt whether they are guilty, in that caſe you will acquit the Defendants.

In about Five Minutes the Jury acquitted all the Defendants.

CONSIDERATIONS.

ON THE CASE OF

THE KING

VERSUS

BISHOP OF BANGOR AND OTHERS.

CONSIDERATIONS

ON THE CASE OF

THE KING

VERSUS

BISHOP OF BANGOR AND OTHERS;

Being the Substance of a Pamphlet entitled

A DEFENCE

OF THE RIGHT REVEREND THE

LORD BISHOP OF BANGOR.

BY THE

REV. RICE HUGHES, A. M.

DOMESTIC CHAPLAIN TO THE RIGHT HONOURABLE THE

EARL OF POULETT,

AND LATE OF ST. JOHN'S COLLEGE, CAMBRIDGE.

LONDON:

PRINTED FOR THE AUTHOR,

By W. WILSON, St. Peter's-Hill, Doctors'-Commons.

M DCC XCVI.

CONSIDERATIONS

ON THE CASE OF

THE KING

AGAINST

BISHOP OF BANGOR AND OTHERS;

Being the Substance of a Pamphlet entitled

A DEFENCE

OF THE RIGHT REVEREND THE

LORD BISHOP OF BANGOR.

BY THE

Rev. RICE HUGHES, A.M.

POLITIC CHAPLAIN TO THE RIGHT HONOURABLE THE

EARL OF POMFRET,

AND LATE OF ST. JOHN'S COLLEGE, CAMBRIDGE.

LONDON:

PRINTED FOR THE AUTHOR,

By W. Wilson, St. Peter's Hill, Doctors' Commons.

M DCC LXXII.

CONSIDERATIONS, &c.

THE fate of the profecutions againſt the Biſhop of Bangor and his friends having been determined by a verdict, and the trial having been publiſhed in as authentic a form as can be expected; it may now be permitted to one, who has not been an inattentive obſerver of what has been paſſing in the county of Caernarvon, to offer the public ſome conſiderations on this extraordinary caſe. The writer feels, that he does not enter upon this taſk with that ſpirit which produced and circulated, moſt induſtriouſly, though clandeſtinely, a ſcandalous, virulent, and malignant libel on the Biſhop, immediately before theſe charges were brought forward. That publication might have raiſed prejudices ſtrong enough to have influenced the determination, and ſo have poiſoned the very fountain, of juſtice. That it was intended to produce that effect, and that the pamphlet, and the indict-

ments, were parts of the ſame meaſure, cannot be doubted. If the pamphlet failed in its purpoſe, it was becauſe the folly, the malice, and the wickedneſs of it, were ſo thinly veiled, that all honeſt men ſaw through it, and treated it with the contempt which it ſo juſtly merited.

The preſent publication may aſſiſt the cauſe of truth and juſtice, but can miſlead no one. The principal facts are eſtabliſhed by the teſtimony of Mr. Grindley himſelf, or his own witneſſes, on oath, or are ſo notorious that they cannot be contradicted. If any one man hath ſeen them through a medium which may be falſe, it becomes the duty of another, who conceives that he can place them in the true point of view, to make the attempt.

It may naturally enough be aſked, what had the Biſhop of Bangor done to provoke this attack upon him? How much he had done to endear himſelf to all ranks of people in his dioceſe, thouſands can teſtify! What occaſion could he have given for ſuch a torrent of abuſe being firſt poured upon him, and afterwards followed up by proſecutions, which, from the nature of them, muſt be felt as the higheſt indignity which can be offered to a man in his ſtation?

It is often difficult to trace the malice of a bad heart to its true ſource.

If we knew with abſolute certainty who were the authors of the pamphlet, and who were the ſecret inſtigators of theſe proſecutions, it is probable that the queſtion might receive a diſtinct anſwer; perhaps, the time is not far diſtant when this will be known—it is in train—theſe incendiaries know that it is in train.—At this moment they anticipate thoſe feelings which a conſciouſneſs of guilt detected creates; even now they are haunted in their dreams with proſecutions; already the Biſhop hath his revenge, if that paſſion could find its way to his breaſt. They made him feel, but he ſupported himſelf under his feelings, becauſe he was innocent; theſe men feel and tremble, becauſe they know that they are guilty.

In the mean time, I can only direct the attention of the reader to thoſe cauſes of offence which the pamphlet and the indictments ſuggeſt.

It cannot be denied, that, in the ſummer of the laſt year, the Biſhop of Bangor ſignified to the Lord Viſcount Bulkeley, that his brother, Sir Robert Williams, having had the misfortune to have a verdict paſs againſt him, at the Worceſter aſſizes, for criminal converſation with the wife of

a gentleman of that county, he (the Biſhop) could not recommend to the clergy of his Dioceſe to give their ſupport to Sir Robert as a Candidate for the County of Caernarvon in the enſuing Parliament, and that he thought they ought to ſupport Lord Penrhyn the other candidate. This, whatever demerit is to be attached to it, I believe the Biſhop has to anſwer for; beyond this, I believe, he had given no cauſe of offence to that Noble Lord, or his connexions; and ſurely, even in theſe days, it was no unreaſonable cauſe of quarrel with a Biſhop, who took any care of his Dioceſe, that he exhorted his clergy not to expreſs, even at an election, an open contempt of the moral law, delivered by God himſelf to his people—"Thou ſhalt not commit adultery:"—Nor had the Biſhop given any new cauſe of offence, as I ever heard, to another Noble Lord (the Earl of Uxbridge) who warmly eſpouſed the cauſe of Sir R. Williams, and who, upon ſome miſunderſtanding of an old date, had withdrawn his countenance and favor from the Biſhop; but who, doubtleſs, is of too noble a nature to harbour, and keep alive in his breaſt, for ſuch a length of time, that eager reſentment which burſt into ſuch a flame in this pamphlet.

One of thoſe miſunderſtandings between this Noble Lord and his agents, and the Biſhop of Bangor,

Bangor, reſpected the rebuilding the pariſh church of Amlwch, where the famous Paris Mountain and its copper mines are ſituated. The church was in a ruinous ſtate, and too ſmall for the number of the inhabitants. The proprietors of thoſe mines had brought into the pariſh a multitude of people, from whoſe labour they derived immenſe wealth. The Biſhop was of opinion, that the proprietors of the mines ſhould be at the expence of rebuilding the church; that they ought to do it for the public who were doing ſo much for them. The Biſhop underſtood that it had been promiſed to him, that it ſhould be rebuilt at the expence of the proprietors. The Noble Earl and his agents inſiſt that they undertook for no more than that they ſhould contribute a certain ſum towards the work. There was a miſtake ſomewhere; the memory is fallible; liberality has its hot and its cold fits; this need not have produced a quarrel; but they, into whoſe hands this pamphlet has fallen, will perceive, that it is made the ſubject of a quarrel with the Biſhop, which, for purpoſes we may gueſs at, is revived, with extraordinary vehemence and virulence, at this critical time.

The Noble Earl had alſo taken offence, moſt unaccountably, at the exertions of the Biſhop to put the Grammar School at Bangor upon a good footing, which he effected at a very great expence

to

to himſelf, and a large ſacrifice of his own time—he having himſelf ſuperintended the work from the beginning to the end. The Biſhop is amply rewarded—he has the happineſs to ſee the ſchool flouriſh under a very able maſter whom he placed there, not without being under the neceſſity of making many arrangements, which, I ſhould not wonder, if the authors of the pamphlet called Simoniacal, in order to make room for him.

When the Biſhop came firſt to Bangor, there were four or five ragged boys in the ſchool not very well taken care of; there are now eighty ſcholars of good connexions in the country carefully educated. The town of Bangor, and the adjacent country, feel the immediate effects of an increaſed circulation. But this is, comparatively, a ſmall circumſtance. Let us look forward to the benefit, the incalculable benefit of an increaſed civilization, which this excellent proviſion of the means for well educating the riſing generation, in that part of the country, muſt produce.

Will it be believed that this is one of the grievances ſtated in this pamphlet? Fortunately, for the cauſe of truth, this charitable work, entered upon, and executed with ſo much generoſity and munificence, and upon motives which could not be miſunderſtood by any man whoſe judgment

was

was not warped by ſtrong and paſſionate prejudice;—this capital improvement of the Grammar School at Bangor is introduced, and made a ſubject for the moſt ſlanderous abuſe in this pamphlet;—fortunately, I ſay, for the cauſe of truth—*ex pede Herculem*—this enabled honeſt and fair men to take a juſt meaſure of the whole of that execrable performance.

With thoſe exceptions which may be collected from this ſhort hiſtory, and from this additional circumſtance, that the Biſhop judges for himſelf on whom he ſhall beſtow thoſe benefices of which he is the patron;—and here the writer takes upon himſelf to aſſert, that the Biſhop has, in no one inſtance, conferred a parochial benefice on a clergyman who was not maſter of the Welch Language; and that, in many inſtances, he has beſtowed them on thoſe who, for thirty years, had been the curates ſtarving upon a miſerable ſtipend; and who, having no *election* intereſt, had no friend but the Biſhop: With theſe exceptions, I apprehend, that the Biſhop might reaſonably conclude himſelf to be, and probably was, upon that footing with his clergy, and with his dioceſe, which his care and protection of his clergy, his hoſpitality, and his friendly offices to the country in general, entitled him to be.

In

In this ſtate of things, very unexpectedly indeed it muſt have been to him, this libellous pamphlet appeared—this maſked battery opened upon him—the guns all loaded to the very muzzle with langrige—falſehoods of all ſorts ſtuffed into it, mixed with a very ſmall proportion of diſtorted truths, juſt enough to give it ſome conſiſtence, and to make people endure to read it.

The object was ſufficiently apparent; but the Biſhop was a man of too much conſtancy to be driven from his ground by this baſe and treacherous attack. (Some of the parties concerned will feel what I mean by the word treacherous.) Then followed this meaſure of a legal proceeding againſt the Biſhop and his friends, in the form of indictments, preferred at the Grand Seſſions held at Conway, and found by the Grand Jury, whoſe *Foreman was Sir Robert Williams!*

I will do the authors of this meaſure the juſtice to acknowledge, that this was a maſter-ſtroke; the wit of man, ſharpened by the malice of the devil, could not have deviſed an engine more likely to diſtreſs the Biſhop, and to bend him to their purpoſes; any public imputation upon his conduct, the poſſibility of his conduct being ſo miſrepreſented by falſe witneſſes, or ſo miſunderſtood by a Judge and Jury, that he might have to appear in a Court

a Court of Juſtice as a convicted delinquent, as one who had entirely forgotten the duties of his ſtation, and had violated the laws of his country, could not be reflected on without horror by the moſt conſtant men of that order and rank in the State:—The thought of it muſt have been almoſt inſupportable. To be relieved from the anxiety which this ſtate of accuſation muſt produce, the very beſt of us would feel inclined to think worth purchaſing upon almoſt any terms. This was, therefore, what was exultingly called a "*Grand operation.*"

Some of the ſteps taken to ſecure the ſucceſs of this *Grand operation* have tranſpired. Such ſecrets are generally ill kept,—they do no honour to the parties concerned. Some of thoſe parties perceived that ſuch ſteps would do them no honour; and, I verily believe, were unwillingly dragged into the participation of them. One of them in particular, who, with all his faults, is a good-humoured man, and of *modern* honour, I am confident would rather have gone an hundred miles another way, than have been ſeen at Conway on ſuch an occaſion—*But the ſerpent beguiled him, and he did eat.*

The face of things was now very much changed. The abuſe of an anonymous writer might be de-

ſpiſed and overlooked. There was now a formal charge of high miſdemeanors againſt the Biſhop, with a proſecutor to avow them; and ("tell it not in Gath, publiſh it not in Aſkalon") it had received the ſolemn ſanction of the preſentment of a grand inqueſt;—that branch of our criminal juriſdiction which hath hitherto been conſidered as the palladium of Engliſhmen; as that which was effectually to guard them againſt that worſt of evils—the courſe of the law of the land proſtituted to unworthy purpoſes.

Two indictments were preferred: the firſt againſt the Biſhop alone, for an aſſault on one Roberts, a blackſmith, whom Mr. Grindley had thought proper to aſſociate with him in the cuſtody of the Regiſtrar's Office. The ſecond, againſt the Biſhop, with four others, charging a Right Reverend Prelate, Biſhop of the Dioceſe—a dignified Clergyman, the Archdeacon of Merioneth—two other very reſpectable Clergymen—and a Layman, a gentleman practiſing the law, who had ſucceeded Mr. Grindley as agent to the Biſhop, with having been guilty of a riot; with having riotouſly aſſaulted Mr. Grindley, and with having inſtigated ſeveral perſons, riotouſly aſſembled, to remove and expel Mr. Grindley, by force, from the Regiſtrar's Office.

Such

Such an aſſembly of rioters one might have expected to have found grouped in a licentious farce; but it was reſerved for thoſe who inſtigated Mr. Grindley to commence this proſecution, to introduce living characters of ſuch a deſcription into an indictment for ſuch an offence.

Theſe indictments having been found by the Grand Inqueſt for the county of Caernarvon, the Biſhop had this alternative, either to ſhrink from all further inquiry, and make his peace with his enemies, on ſuch terms as they ſhould be *graciouſly* pleaſed to grant to him, or to meet the charges with firmneſs. He did not heſitate for a moment; he choſe the latter, and put himſelf upon his country, to the no ſmall mortification of his adverſaries, who had flattered themſelves they had taken their meaſures ſo well, that the Biſhop would be driven to an unconditional ſubmiſſion.

Another cruel diſappointment ſoon followed: The inſtigators of theſe proſecutions had made themſelves quite ſure, that the trial of the indictments muſt be had in the county of Caernarvon. Feeling in their own perſons to what a pitch men could be worked up by an election ſpirit, it is not quite impoſſible but that they might derive hopes of ſucceſs from that circumſtance. They found themſelves defeated, and had the additional morti-

fication to diſcover, that they had defeated themſelves. That their own practices—the circulation of that abominable pamphlet, had not only made it neceſſary, but had given the Biſhop a right to remove the indictments, and to bring them on to trial in the next Engliſh county. They found that theſe cauſes would be to be tried by a Jury compoſed of men of the firſt rank in the county of Salop, men who were not dipped in the wretched politics of the Caernarvon election. All the pains they had taken to prejudice the county againſt the Biſhop were now perceived to be thrown away. They could not cheat themſelves into the fond hope that ſuch men would imbibe narrow prejudices. There are, however, prejudices which generous minds might feel; and they began to apprehend that their labours might operate againſt themſelves; for they could hardly hope that an indifferent Jury, men of honour, could conſider the pamphlet, and their proſecutions coupled together, as any thing ſhort of a foul conſpiracy againſt the honour, I might add, againſt the life of the Biſhop of Bangor. Indeed, no man could have been ſurprized, if he had ſunk under the weight of ſo much vexatious perſecution.

The hiſtory of the paſſages which were made the colour for the ridiculous charge of a riot, may be, in a great meaſure, collected from the trial which has been publiſhed.

Mr.

Mr. Grindley related them upon oath. Mr. Grindley was examined, and croſs-examined. The Jury were immediately ſatisfied! They acquitted the defendants *with the entire approbation of the Bar*, and with the hearty concurrence of a large and moſt reſpectable auditory.

This was a ſtunning defeat, not only to thoſe who were immediately concerned in the *Grand operation*, but to a *malignant* party who had rejoiced in ſeeing men *whom they hated, almoſt as cordially as they do the Biſhops*, doing their work for them, preparing the way for their *own* deſtruction, by degrading the Hierarchy in the perſon of one of the Biſhops, and ſo undermining one of the pillars of the Conſtitution. In this reſpect, a victory would have been dearly bought by theſe ſhort-ſighted politicians who are too angry to be wiſe. Of this they had given ſufficient proofs a ſhort time before, when they did buy a victory at a price which ſome of their beſt friends have thought rather extravagant. Had but one ray of common ſenſe illumined the dark corners in North Wales, they might have avoided the diſgrace, both of their victory, and of their defeat.

What now was to be done? This verdict threatened to put an end to the ſhort but diſaſtrous reign of that tyrannic election ſpirit, which can brook

no

no oppoſition to its *lordly* will, and would ſtoop to any thing in order to gratify its rancor; ſomething was to be thought of.

This only remained. Great pains have been taken to publiſh, that the learned Judge, who tried this cauſe, ſummed up the evidence favourably for the proſecution, and that he did not approve of this verdict. The publiſhers of this information to the public have the authority of the trial, as now printed, for the aſſertion; and I have no authority to deny that ſuch was the ſumming-up of the learned Judge.

I have too profound a reverence for the Judges of England, and have too much perſonal reſpect for the learned Judge in particular, to treat his opinions lightly: But I claim the privilege of examining them decently and gravely, and of convicting them of error, if they ſhall be found to be erroneous. The importance, nay the abſolute neceſſity of ſuch an enquiry, is obvious. Thoſe men, who have ſo induſtriouſly circulated the opinion of the learned Judge, know full well the influence it muſt have upon the public, and therefore they have circulated it. If the opinion is well founded, it will have (I agree it ought to have) its weight. If it is erroneous, it ought to be reverſed, as far as, in the nature of the thing, it

it can be reverſed; and the Biſhop ought to be reſtored to ſo much of the public opinion as he has loſt by this error. I am informed that there is no courſe of law in which this error can be examined, and an authoritative reverſal had of the judgment, if I may ſo call it, of the learned Judge. If it is ſuffered to paſs current in the world, the miſchief is irreparable. The promoters of theſe indictments, ſo countenanced, may preſume to ſhew their heads again, and the benefit of ſuch an example of malice, detected and defeated, may be in a manner loſt. It is, therefore, a juſtice due to the Biſhop and his friends, who have not the full benefit of their acquittal; it is due to the Jury, who lie under a ſort of imputation, as if they had given a verdict againſt law, and againſt evidence; it is due to the community at large, who ought to enjoy the full protection which this verdict holds out to them againſt calumnious and malicious proſecutions; that what is now publiſhed as the opinion of the learned Judge ſhould undergo an examination.

The principal object of this little tract is to enable thoſe, to whom the opinion of the learned Judge may be offered as an apology for the proſecution, to judge of the weight it ought to have.

I think

I think the faireſt courſe I can take, and that which will be the leaſt diſreſpectful to the learned Judge, will be to endeavour to collect and arrange the evidence, and to place it in ſuch points of view, as may ſerve to aſſiſt thoſe who read the trial, to underſtand the true import of it. When this is underſtood, every man may judge for himſelf, whether it was ſeen in its true light by the learned Judge, and whether they can go along with him in his way of applying it to the charge. I will not preſume to oppoſe myſelf perſonally to the learned Judge; I will aſſert nothing; I will not ſay that the learned Judge miſtook the caſe from the beginning to the end; that many very material parts of it eſcaped his notice altogether; that many facts were aſſumed by the learned Judge as proved, which reſted upon evidence ſo contradictory, that, in order to come at the fact, it was abſolutely neceſſary to weigh the credit of the reſpective witneſſes, and the comparative probabilities of their reſpective evidence; and to decide which of three different ſtories was to be believed. I will not aſſert, that when the learned Judge aſſumed the province of the Jury, he found his verdict palpably againſt the weight of the evidence; I only deſire that the evidence may be read and conſidered, and will leave it to thoſe who will read and conſider it, to draw their own concluſions.

In diſcourſing upon this ſubject, I ſhall proceed in the method I have been uſed to. I propoſe, firſt, to ſtate the ſubſtance of that part of the evidence which had no contrariety in it, I ſhall conſider the facts to which that part of the evidence applies as proved, and I ſhall ſtate, what I conceive to be, the reſult of thoſe facts with reference to the charge in this indictment: I ſhall then ſtate the evidence in which there is a contrariety—the different repreſentations of thoſe facts which are differently repreſented by the witneſſes. I ſhall conſider which of thoſe repreſentations is ſupported by the weight of the evidence; and when the fact is, by this proceſs, ſufficiently aſcertained, I ſhall, as in the former part of the caſe, conſider how it will apply to the charge, and then, as we ſay, I ſhall conclude with ſome practical inferences from the whole.

Firſt, then, the evidence diſtinctly proves that Mr. Grindley acted as the Deputy Regiſtrar, *under the direction of the Biſhop, without any appointment from the principal Regiſtrar.* I ſhall not ſtay to enquire whether, in the language of the indictment, he was duly appointed. That is a matter of law, and much out of my reach. But if he was duly appointed, it muſt have been by the Biſhop, for certainly he had no appointment from any one elſe; and it appears by the evidence, that the

Principal Regiſtrar left every thing belonging to the execution of the office entirely to the Biſhop. Mr. Grindley had been the Biſhop's agent; the Biſhop had removed him from his agency. In the trial there is an alluſion to the *cauſe* of his removal. The Judge interpoſed (I dare ſay very properly)—they were not then to enter into Mr. Grindley's private affairs! The Biſhop withdrew from the office his ſeal, which, by the way, ought, as I conceive, to be in the cuſtody of the Chancellor of the dioceſe, or of his Surrogate, and ought never to have been in the cuſtody of the Regiſtrar.

It is not diſtinctly proved, but may be collected from the evidence, that the Biſhop had likewiſe called upon Mr. Grindley to give up his ſituation of Deputy Regiſtrar. It muſt have been a very diſagreeable thing to him to have a man about him in the reſponſible ſituation of Regiſtrar, who had not his confidence. Mr. Grindley felt the propriety of his giving it up, and only put off the day. Probably the Biſhop thought that Mr. Grindley was trifling with him; and the event, as ſtated by Mr. Adam, Mr. Grindley's counſel, has proved that he was trifling with him, for he pretends to keep the office to this hour. The Biſhop ſeems to have made up his mind, that Mr. Grindley ought to quit the office immediately upon his requiſition.

quiſition. He demanded the key, which was refuſed to him. He ordered the door to be opened, and a new lock to be put upon it, which was done without perſonal violence to any one. Mr. Grindley being informed of this, armed himſelf with fire-arms, got together his two clerks, two ſervants armed with ſticks, and a blackſmith, whom he was alſo pleaſed to call his ſervant, armed with ſome of the implements of his calling, and broke open the outer door of the office alſo without perſonal violence to any one; but then Jones, the Biſhop's agent, interpoſing, putting his back to the inner door, and endeavouring to prevent Mr. Grindley forcing his way into the office, Mr. Grindley confeſſes that he *aſſaulted* him, and removed him *by force* and *perſonal violence*. His cries alarmed the Biſhop's ſervants; Raſbrook came forward; Mr. Grindley preſented his piſtol, and threatened to ſhoot him;—he retired. Mr. Grindley finiſhed his work, forced his way into the inner room, and the outer door was then cloſed from within. After ſome time the Biſhop knocked at the door, and demanded to be admitted; Mr. Grindley ſaid, he would ſhoot any man who ſhould force the door. The Biſhop ſaid, "Will you ſhoot the Biſhop?" and again demanded to be admitted; Mr. Grindley opened the door, and the Biſhop entered. It was market-day, though one

of the witneſſes repreſented it otherwiſe, and ſeveral people had collected round the door.

Thus far the fact is plain. Let us make a pauſe here, and take a ſurvey of this part of the evidence, and ſee to what it reſults.

Leaving the queſtion to be decided hereafter in the proper juriſdiction, whether Mr. Grindley was, in ſtrict law, any thing more than a ſervant under the Biſhop, whom he might diſmiſs at his pleaſure; I think it moſt manifeſt that the Biſhop conſidered him as his ſervant, put into the office by himſelf, who had the management of the concerns of the office for his relation the Regiſtrar, a minor; and that in truth he was himſelf reſponſible, both to his relation and to the public, for the office being properly taken care of by the perſon whom he ſhould think fit, from time to time, to place in it, —that he had a right to remove Mr. Grindley at his pleaſure, from a ſituation which Mr. Grindley held, as he conceived, only during his pleaſure; that having appointed the deputy Regiſtrar as he had appointed his agent, he concluded that he might diſmiſs his deputy Regiſtrar as he had diſmiſſed his agent; and that when he ordered the office to be opened, and a new lock to be put on the door, he did not mean to act arbitrarily, but did juſt what he would have done if his butler had taken

taken away the key of his plate-cheſt, and had refuſed to deliver it to him.

On the other hand, Mr. Grindley might, by poſſibility, entertain a conceit that the Biſhop had no right ſo to remove him; (ſtrange as it ſeems to a man unlearned in the law, that it ſhould be made a queſtion, whether the man who appoints may not remove a mere ſervant) or by poſſibility, Mr. Grindley might have been adviſed by his new friends, whom, between the 4th and the 8th, he had had a convenient opportunity of conſulting, to try to make ſomething out of this circumſtance of the Biſhop ordering the door to be opened, which, if the Biſhop had no right to remove Mr. Grindley at his pleaſure, might amount in law to a treſpaſs. It is not for me to ſay whether it could, or it could not, be conſidered as a treſpaſs; but I may ſay, that the tranſactions of the 4th were not the tranſactions of the 8th; and that the force made uſe of on the 4th, to get poſſeſſion of the office, ought not to be confounded with the force ſuppoſed to have been employed on the 8th, to diſpoſſeſs Mr. Grindley.

I proceed to obſerve, that when Mr. Grindley took upon himſelf to poſſeſs himſelf of the office by force, and with perſonal violence offered both

to

to Jones and Raſbrook, threatening the life of the latter, apparently he committed a very great breach of the peace, in which were many of the ingredients of that tumult and riot with which he afterwards thought fit to charge the Biſhop. Whether, ſuppoſing Mr. Grindley had happened to be indicted, he could have juſtified what he did, would, as I am informed, depend on two queſtions, and, I believe, he would have had very up-hill work in both of them. The firſt queſtion would be, whether he had any right to the poſſeſſion; and the ſecond, whether he aſſerted his right in a lawful manner? Another, and perhaps a more efficacious mode of defence, and which Mr. Grindley was adviſed to adopt (a defence by anticipation) was to indict the Biſhop.

Here I will leave Mr. Grindley for the preſent, and return to the Biſhop.

It will be remembered, that the Biſhop did not approach the place till after one of his ſervants had been inſulted and beaten, and the life of his other ſervant Raſbrook threatened, by a man who had forced his way into the office with arms in his hands, and was there ſurrounded by people, ſome of them of the very loweſt condition, and very unfit to be left in the repoſitory of the records and archives of this dioceſe.

It

It does not appear what repreſentation had been made to the Biſhop of that which was paſſing in the office; but it is fair to ſuppoſe, that all which had paſſed had been communicated to him, perhaps with the aggravations which uſually accompany the communication of extraordinary events by ordinary relators.

Now I aſk, and I put it to every ſerious reader of the trial to collect from the circumſtances, for what purpoſe did the Biſhop come there? Can it be imagined that he came there with an intent to diſpoſſeſs Mr. Grindley by force and violence? I am ready to concede, that he was ſtrongly prepoſſeſſed with an opinion that Mr. Grindley had no right to be there, having been diſmiſſed by him; that Mr. Grindley's forcing his way into the office muſt have appeared to him to be a very outrageous proceeding of a diſcarded ſervant; that he felt himſelf affronted and inſulted, and that he was extremely angry; ſtill I aſk, for what purpoſe did the Biſhop come there? I will anſwer this queſtion by putting another: For what purpoſe ought a man in his high ſtation, a preacher of peace on earth, and good-will towards men; a man whom every conſideration would urge to interpoſe for the preſervation of good order, and whom nothing ought to provoke to mix in perſonal conteſts of any kind; for what purpoſe ought ſuch a man to

have

have interpoſed? Shall it not be preſumed in favour of ſuch a man, until a cloud of witneſſes force upon us a different impreſſion, that he did interpoſe to put a ſtop to a tumult which might have endangered the ſafety of the office, and the lives of the people aſſembled.

The preſence, and the perſonal interpoſition of great magiſtrates, and of grave men in high ſtations, have at all times been conſidered as uſeful, and even neceſſary, on every appearance of tumult and riot; and they generally produce the happieſt effects: the very appearance of the Roman Senator ſitting in his curule chair, and adorned with all the enſigns of his dignities, almoſt diſarmed the ferocious, blood-thirſty Gaul: "You will not ſhoot your Biſhop," were the firſt words addreſſed to this riotous man, who had created all this confuſion.

Other conſiderations might very probably mix themſelves with this primary object—the putting an end to the tumult which Grindley had raiſed: probably the Biſhop thought, that by ſhewing himſelf there, and publicly diſavowing Grindley as his officer, he ſhould induce Grindley to deſiſt from further aſſerting, what the Biſhop ſurely muſt be allowed to have conſidered as a moſt unwarrantable claim—the claim to be in poſſeſſion of this office

againſt

againſt his will. The Biſhop might have perſuaded himſelf, that on a requiſition made to him in a determined tone and manner, Mr. Grindley and his myrmidons would have the decency to abandon their plan of keeping poſſeſſion of the office by force, and would retire; and that, by thoſe means, peace might be reſtored.

But did the Biſhop unarmed, aſſiſted by three Clergymen unarmed, and attended by his agent Jones unarmed, intend by force and violence to remove and expel Mr. Grindley from the office? a man whom he muſt have thought frantic, from what had been reported to him of his behaviour; a man who, he knew, was armed with a deadly weapon, and was ſupported by a ſet of ruffians; unarmed, did I ſay? Oh! but the Biſhop afterwards put on his coat of mail, and armed himſelf to the very teeth; he ſent for a Juſtice of the Peace, and a Conſtable—*Riſum teneatis amici!*

I proceed to the conſideration of the ſubſequent part of the evidence.

Here the facts will be to be collected from the evidence of three or four witneſſes, who, being examined ſeparately, in parts of their evidence contradict one another ſo materially, that a conſcientious Jury could hardly give credit, with en-

tire ſatisfaction to their own minds, to any part of their teſtimony.

The witneſſes all agree in one ſtory thus far—that the Biſhop entered the office in a great rage, and with his fiſts clinched, which, in a boxer, might be a poſture of offence, but they differ widely, as to what he ſaid and did. Mr. Grindley, as might be expected, makes the ſtrongeſt charge againſt the Biſhop. He repreſents the Biſhop as coming up to him in a great rage, and ſaying—"*Fine work! you ſhall not ſtay here—I will turn you out immediately.*" He ſays, he anſwered, "My Lord, I ſhall certainly behave with due reſpect to your Lordſhip, but I will not leave the office." He ſays, the Biſhop took hold of him, that he went from him to his huſbandman (William Roberts), and then went and laid hold of David Roberts, another of his ſervants, and *attempted to pull him out of the office*; then returned to William Roberts, *took him by the collar*, and puſhed him towards the door; that the Biſhop came up to him (Grindley), as he deſcribed it, with his hands clinched, *holding them up before his breaſt*; and ſaid he would turn him out, and that he called to his ſervants and ſaid, come and take them out.

Pritchard's account is, that the Biſhop ſeemed to be in a very violent paſſion, that he followed Grindley

Grindley into the office, and clinched his fists, deſcribing *his hands hanging down by his ſides*; that he ſaid to Grindley, " fine work, fine work;" Grindley ſaid, " ſo it is, my Lord, breaking open my office in this manner." " *Your office*," ſaid the Biſhop, " *you have nothing to do with it; you have no buſineſs here; I inſiſt upon your going out.*" Being aſked a queſtion reſpecting William Roberts, and Robert Davis, he ſaid ſomebody, the Chaplain or ſomebody elſe, aſked who are thoſe fellows, who are thoſe ruffians? He ſaid, the Biſhop went up to William Roberts, and laid hold of him, deſcribing it to be *taking hold of his ſhoulder*, and puſhed him towards the door; he ſaid, he ſaw nothing done to Davis.

Thomas ſwore that the Biſhop came in ſtamping his feet, and walked towards Grindley and ſaid, " fine work, fine work;" — Grindley repeated, " yes, fine work in breaking open my office; whoever did it ſhall repent it." The Biſhop ſaid, " *your office, you have no right to be here—you muſt quit it immediately*," or words to that effect. Grindley ſaid, he had a right to be there. The witneſs ſaid, the Biſhop went towards Grindley very often, *as if he had a mind, as he thought, to collar him.* He ſaid, the Biſhop ordered his people to turn Roberts out, and deſired that he would *make out.* He faſtened at his collar, and

grappled at him, and wanted to puſh him towards the door. He ſaid he did not ſee him do any thing to any other perſon.

Being aſked, on his croſs-examination, how the Biſhop moved his hands? he deſcribed it *with his hands down by his ſides*; and he mentioned a circumſtance not noticed by Grindley, that while the Biſhop was in the office, Grindley ſerved him with a writ, and that the Biſhop ſaid he would anſwer it.

Upon comparing this evidence, Grindley ſtands alone in repreſenting the Biſhop to have laid hold of him. Thomas went thus far—that the Biſhop went towards Grindley, as if he had a mind (as the witneſs thought) to collar him. Pritchard ſaw nothing that approached towards it. It is obſervable how this is worked up: That which Thomas choſe to fancy the Biſhop had a mind to do, Mr. Grindley had no difficulty in ſwearing that he did do.

Grindley repreſents the Biſhop with his fiſts clinched, and his arms raiſed to his breaſt; the others ſay, the arms were hanging down by his ſides. Grindley ſays, the Biſhop laid hold of Robert Davis; the other two witneſſes ſaw no ſuch thing, and the three witneſſes gave three different accounts

accounts of what, they ſay, the Biſhop did to William Roberts, the ruffian blackſmith, of whom nobody would give any account, when it was aſked who thoſe fellows were? Grindley ſays, the Biſhop took him by the collar, and puſhed him towards the door; Thomas ſaid, the Biſhop ordered his people to turn Roberts out, and deſired that he would *make out*; he faſtened at his collar, and grappled at him, and wanted to puſh him towards the door: Pritchard's account is, that he went up to Roberts, and laid hold of him, deſcribing it to be taking hold of his ſhoulder, and puſhed him towards the door. There is ſuch a difference between taking a man by the collar, and putting the hand upon the ſhoulder, that all theſe accounts cannot be true; if either of them were true, ſurely it muſt have been the laſt, for a reaſon, which every body, except Mr. Grindley and his friends, will acknowledge the force of; becauſe the action ſo deſcribed beſt comports with the habits and manners of a gentleman in the ſituation they deſcribe the Biſhop to have been in; and in truth, amounts to no more than, "*go, my friend, you have no buſineſs here*;" or, in Thomas's vulgar language, *make out*; which, by the way, nobody can believe were the words actually uſed by the Biſhop.

Grindley

Grindley charges the Biſhop with ſaying, "I will turn you out," and with calling to his people to turn him out, and thoſe who were with him; for that is the effect of his evidence: but, according to Pritchard, his expreſſion was, "I inſiſt upon your going out." Thomas's account is ſubſtantially the ſame as Pritchard's. He makes the Biſhop ſay, "you muſt quit immediately," and both of them differ eſſentially from Grindley in their accounts of what led to the Biſhop's uſing any expreſſion of this kind. Grindley repreſents him to have at once declared, that he would turn him out, without a word having been ſaid on his part—"fine work, you ſhall not ſtay here, I will turn you out immediately;" and it is not by inadvertence that he ſo ſtates it. It was to mark that he came there with that intention, and for that purpoſe. But the account given by the two other witneſſes is, that what the Biſhop ſaid was in reply to ſomething which had fallen from Grindley. When the Biſhop had, certainly with great emotion, characterized this riotous proceeding of Grindley's by the expreſſion, "fine work, fine work;" Grindley inſolently retorted, "yes, fine work in breaking open my office;" then it was the Biſhop ſaid, "your office? you have no buſineſs here—I inſiſt upon your going out immediately," according to one of the witneſſes: "Your office? You have no right to be here—

you

you muſt quit it immediately," according to the other witneſs.

Suppoſing the thing to have paſſed, as Pritchard and Thomas ſay it did paſs, Grindley has given a moſt malicious turn to it. For ſurely, it is a very different thing, whether the Biſhop ſaid, with nothing to lead to it, " you ſhall not ſtay here—I will turn you out immediately ;" or whether being called upon, by Grindley's publicly aſſerting the office to be his, the Biſhop denied it, and ſaid, " he had no buſineſs there, or had no right to be there, and inſiſted upon his going out immediately, or that he muſt quit it immediately." Grindley's manner of relating the circumſtance ſerved a double purpoſe. It was to prove, out of the Biſhop's own mouth, with what intent he came there ; and alſo to prove, that he meant to proceed immediately to carry that intent into execution. The account of the other two witneſſes ſerves neither of theſe purpoſes. It was at moſt but a ſtrong requiſition to Grindley to go, which had been called for, by Grindley's aſſerting his right to be there ; and left it quite open and undetermined what the Biſhop would do next, if Grindley did not comply with that requiſition.

Grindley, in confirmation of his teſtimony, ſaid, that the Biſhop called to his ſervants to turn them

them (including himſelf) out. This alſo, if Pritchard and Thomas ſpeak truth, is a malicious turn given to the evidence; for they both agree in repreſenting the Biſhop to have called to have the two ruffians, as they were denominated, and particularly the ruffian Roberts, the blackſmith, turned out, and not Grindley.

Grindley is a great lawyer; having made his charge, it was neceſſary to prove an act of perſonal violence offered by the Biſhop to himſelf, accompanied with a declaration, that the Biſhop would himſelf turn him out immediately. This would go a great way towards involving the Biſhop in the charge of coming in to the office with an intent to remove Grindley by force; and with having proceeded to execute that intent, and with having committed a breach of the peace in the execution of it. Grindley ſwore to this aſſault, and to this declaration. His witneſſes not only did not ſupport him, but gave ſuch an explanation of the circumſtances upon which Grindley relied, that they do in effect contradict him in every particular.

I aſk then, did the Biſhop aſſault Grindley? Did he lay hold of him? Did he come up to him with his hands clinched, and raiſed to his breaſt? Did he ſay he would turn Grindley out? Did he

call

call his ſervants to turn Grindley out? I conceive, that no body could anſwer theſe queſtions, with reference to this cauſe, and as a gronnd for the verdict that was to be pronounced in it, but that Jury who tried this cauſe. I conceive, that it was fit and neceſſary that theſe queſtions ſhould have been put diſtinctly to the Jury, with ſuch obſervations upon this contrariety in the evidence as occurred to the learned Judge. And here, where ſo much depended upon the credit of Grindley's teſtimony, there was room for obſerving who Mr. Grindley was; under what circumſtances he appeared as the proſecutor of an indictment againſt the Biſhop of Bangor, his maſter and his friend, while he deſerved to have ſuch a friend. The Jury, judging for themſelves, as it was their duty to do, have anſwered theſe queſtions; they have by their verdict anſwered every one of them in the negative. Mr. Grindley cannot complain, if they have believed his witneſſes; the world will not complain, if they have rejected the whole teſtimony as a heap of traſh, a tiſſue of abſurdities. In either caſe they will have decided upon the fact honeſtly, according to the weight of the evidence.

Taking the caſe ſtripped of Mr. Grindley's aggravations, and as his witneſſes have repreſented it, Good God! what is it which has produced a

charge of a riot againſt a Biſhop of the Church of England? The Biſhop hearing that Grindley had broke into the office by force, and with perſonal violence to one of his ſervants—that he was armed with a deadly weapon, and had threatened the life of another of his ſervants, and that he had a gang of ruffians with him in the office, apprehenſive of a tumult and danger to the records, and alſo to the lives of the people aſſembled, went haſtily and in great emotion, feeling himſelf perſonally inſulted, to the place, and there demanded of Grindley that he ſhould go out of the office. He ſent for a Juſtice of the Peace and a Conſtable (a circumſtance which ſeems to have eſcaped the learned Judge altogether) and ſeeing two people in the office, who could have no buſineſs there, two ruffian-looking men, ordered them to be turned out, and himſelf gave one of them a puſh towards the door, and at length, finding that Grindley peremptorily refuſed to quit the office, and that he could not be removed without violence, he himſelf withdrew, perſuaded (if Mr. Grindley pleaſes) by the ladies of his family, leaving Grindley in poſſeſſion.

Againſt Mr. Grindley this might have been made ſomething of. There was on his part a forcible entry, and perhaps, ſome colour for charging him and his gang with a riot. But to turn

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the tables on the Biſhop, and to make him the rioter, ſeems to be a moſt marvellous perverſion of things, dextrouſly enough conducted, for it has deceived the very elect, but ſurely marked by no *vulgar* profligacy.

The poor Archdeacon too, for as to all the other defendants, I take leave to obſerve, that there is not a tittle of evidence againſt them, notwithſtanding Doctor Owen, they ſay, both *talked and laughed*; the Archdeacon of Merioneth is involved in this riot—"Why, what evil hath he done?" They ſay, he threatened to turn them all out: He ſaid he would turn out Grindley himſelf, if no one elſe would. They ſay he ſwaggered, opened his breaſt, bid Grindley ſhoot him inſtead of the Biſhop, called out Grindley by way of challenge, as the witneſs conjectured. If this part of the caſe were worthy of a minute diſcuſſion, the evidence, as to theſe particulars, is open to much obſervation; but I ſhall not ſtay to break a fly upon a wheel; probably enough, my countryman's blood might be fired at the indignity offered to his Superior, to whom he looked up with reverence and the moſt dutiful attachment. They ſay he bared his breaſt to receive the ſhot which might have been aimed at the Biſhop. Did he? honeſt, generous creature, I honour him for it—this, like charity, might cover a multitude of ſins. If he did actually

threaten, it was but a threat—a ſwagger, as the witneſs contemptuouſly termed it. If in the heat of his zeal he even challenged Grindley, ſurely this was but perſonal intemperance, for which in his own perſon he would be to anſwer. I do not perceive in the evidence, that the Biſhop undertook to be his ſecond. In ſhort, the whole of this evidence is too ridiculous to be made the ground of a *joint* charge of any offence whatever; and it is as like an ouzle or a camel, as it is like a riot in the worthy Archdeacon.

Did not then the Jury do right in pronouncing the verdict which they did pronounce; and if any man thought that they ought to have given a different verdict, was he not egregiouſly miſtaken; and what apology can his miſtake furniſh for the malice of a diabolical plan to ruin the character, and deſtroy the peace and happineſs of any man, were he the meaneſt individual in the county of Caernarvon, for the ſake of their election.

I ought not to cloſe this examination of the evidence, without doing all I can to prevent my concluſions being preſſed beyond their proper bearing. I lament ſincerely, that there was a neceſſity for making any mention of the learned Judge who tried this cauſe; but I rely on the candor and generoſity of his mind. If it is diſcovered that there

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is ſolid ground to impute error to his ſumming up, I am confident he will rejoice that this method hath been taken to provide a remedy for the wrong which that error hath produced. I impute nothing to the learned Judge but error in judgment, from which the beſt and wiſeſt are not exempt. I ſolemnly declare that I do not mean to inſinuate any reproach of partiality;—thank God! the integrity of our Judges is above all ſuſpicion. I go further; I verily believe, that if the learned Judge could have intentionally yielded to any bias, it muſt have been on the ſide of the Biſhop. I apprehend that his principles and his connexions lean that way. I have no doubt but that he was determined to reſiſt all thoſe general impreſſions which he could foreſee might tend to miſlead his judgment; but in throwing his mind into the oppoſite ſcale, has he not been acted upon, without perceiving it, by a ſtrong bias the other way? I have often heard it ſaid, I would rather have my judge my enemy than my friend. Does not this caſe furniſh ſome evidence of the truth of the adage.

In a caſe of leſs magnitude, where a Judge had felt himſelf more at his eaſe, I think it muſt have occurred to him to examine the outline of it, and to weigh the probabilities on one ſide and on the other.

Biſhops

Biſhops being but men, have the frailties of men; but ſurely it was improbable, that a man of the Biſhop of Bangor's age, of his profeſſion, and of his rank in his profeſſion, ſhould have left his houſe with an intention perſonally to engage in a Welſh brawl;—or that he would have been preſent, or would have taken any part, but for the expreſs purpoſe of reſtoring peace and good order; to me it appears ſo groſsly improbable, that the contrary ought to have been preſumed;—and that the evidence which was offered to repel that preſumption, and to eſtabliſh a fact almoſt incredible, ſhould at leaſt have been ſcanned with a jealous eye. No wonder the minds of the Jury revolted at every concluſion the learned Judge drew from ſuch evidence. Had the learned Judge but traced in his own mind the outline of the tale which was to fix this grievous imputation upon the Biſhop, he muſt have perceived the wickedneſs of the attempt. What had Mr. Grindley to complain of? The Biſhop being refuſed acceſs to the Regiſtrar's office, ordered the door to be opened, and a new lock to be put upon it. Mr. Grindley armed himſelf, and redreſſed himſelf. His violence alarmed the people—he preſented his loaded piſtol, threatening to ſhoot any man who ſhould moleſt him. The people retired—Mr. Grindley remained in poſſeſſion, and has been in poſſeſſion ever ſince. What perſonal, what pecuniary injury has he ſuffered?

fered? Has he not been a great gainer? If he has loſt the confidence of the Biſhop of Bangor, in return he gained that of other *great* and *far more magnificent perſonages!* The Earl of Uxbridge has been exceedingly kind to him ever ſince, and, I am told, has even condeſcended to permit him to have a corner in his Lordſhip's carriage, when his affairs called him to London, a very ſhort time before this famous cauſe was to be tried at Shrewſbury. Of what does Mr. Grindley complain? Of that for which, had he brought his action, one *penny* damages had probably been deemed too ample a ſatisfaction. Why has he preferred his complaint in the form of an indictment? The anſwer is ready: Becauſe in that form it will beſt ſerve the purpoſes of the election for the county of Caernarvon.

If the caſe had preſented itſelf to the learned Judge in this point of view, I am perſuaded that he would have given no countenance to this proſecution; he would not have ſuffered a court of juſtice, in which he preſided, to have been an inſtrument in the hands of Mr. Grindley, or of his employers;—he would have felt as, happily for the cauſe of truth and juſtice, the Jury did feel.

If thoſe who are at the bottom of theſe proſecutions had thought fit to have ſubmitted to the verdict of the Jury, and had not continued to libel the

the Biſhop in every newſpaper which would receive their ſcandalous paragraphs; if a vile calumniator had not been hired to diſperſe this poiſon throughout the kingdom, it is very poſſible that the outrage, of which they have been guilty, might never have been made the ſubject of diſcuſſion. The Biſhop himſelf has not thought fit to make any appeal to the public; he appears to have repoſed himſelf in a conſcience void of offence, and in the protection of the law. Indignation has now urged a man wholly unknown to the Biſhop to enter the liſts. Diſappointed, yet not unrelenting malice, ſhould find refuge no where; all honeſt men have a common intereſt in expoſing it to the broad day-light. Let theſe malignant perſecutors of the Biſhop, therefore, no longer ſhelter themſelves under the venerable name and authority of the learned Judge who tried this cauſe; let them retire covered with ſhame and confuſion; and, above all, let them no longer find credit with better men than themſelves, who have been drawn in, and prevailed upon to go lengths which, in their cooler moments, it is impoſſible they ſhould approve of. Let thoſe men have the generoſity to concede to the Biſhop (and the higher their rank the more generous, and the more honourable to themſelves will be the conceſſion) that in their zeal for the ſucceſs of an election they have gone too far: The Biſhop is not the man I take him to

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be, if he is not ready to meet them more than half way. I truſt that he is a Chriſtian Biſhop; and though not a phlegmatic man, that he has no acrimony in his temper, that his paſſions are ſubdued, and that he is in charity with all men. In this frame of mind, may he long continue to preſide over the See of Bangor—the guardian of the intereſts of religion and virtue—the hoſpitable and munificent diſpenſer of the revenues of the church within his dioceſe—the patron of indigent merit, and the poor man's friend.

My honeſt countrymen, I truſt, will ſhake off unworthy prejudices—be the ſlaves of no man becauſe *he happens* to be a *lord*, but think for themſelves; they will then do juſtice to the exalted character of their Biſhop, and again attach themſelves, with duty and reverence, to their Paſtor—a Paſtor indeed, for he has *always fed his flock*. One enemy he muſt ſubmit to have—one man has injured him too deeply ever to forgive him. It will be ſome conſolation to the Biſhop, to reflect that he is beyond the reach of that man's enmity, and that his frienſhip might undo him.—I appeal to both the noble Lords! For the ſake of the dioceſe, I earneſtly hope that the Biſhop will not be tempted to change his ſituation. The dioceſe of Bangor is a ſituation worthy of the active mind, and the talents for buſineſs of the preſent Biſhop.

His long and regular reſidence has been a public benefit to the country. His clergy are improved in learning, in manners, and in their habits of life, by ſeeing him living amongſt them, and by having experienced that to be a good pariſh prieſt is a title to his favour. Beyond the exemplary diſcharge of his ſpiritual functions, by his judicious liberalities, he hath created, and kept alive, a ſpirit of induſtry in the people who live within the circle of his connexions in the country. Idleneſs, and its attendant poverty, are in a great degree baniſhed from his neighbourhood. Let any man look at the town of Bangor in its preſent ſtate, and compare it with its former condition; let him enquire into the ſtate of the dioceſe; then let him lay his hand upon his breaſt, and ſay, whether the Biſhop of Bangor ſhould have been affronted, reviled, inſulted, perſecuted, and, if poſſible, driven out of the country, becauſe his character and influence were likely to bring into hazard the election of Sir Robert Williams for the county of Caernarvon.

I have been aſked, why do Biſhops interfere at all in elections? It hath been ſaid, if the Biſhop of Bangor had not interfered in the election for the county of Caernarvon, he had eſcaped this miſery; and this, I muſt confeſs, is not an unfair ſtatement of the merits both of the anonymous pamphlet, and

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of Mr. Grindley's proſecutions. I preſume neither Lord Viſcount Bulkeley, nor the Earl of Uxbridge, will aſk, why do Biſhops interfere at all in elections? I preſume, that it is no objection with either of thoſe Lords of Parliament, that a Lord of Parliament interferes in an election. Probably their objection is not that the Biſhop of Bangor interfered at all in the election for the county of Caernarvon, but that he did not interfere on the right ſide. I have heard that one of the noble Lords did repeatedly, and moſt anxiouſly, ſolicit the Biſhop's interference in this election. The other noble Lord, I have alſo heard, did condeſcend to aſk his interference, and to accept it very graciouſly, in a former election for another county within the Biſhop's dioceſe; and I believe, though it is a circumſtance which, I conclude, hath eſcaped the memory of that noble Lord, that he owed the election of his friend in that inſtance entirely to the Biſhop's influence. To theſe noble Lords, therefore, no explanation is due: but there are thoſe, whoſe opinions I reſpect, to whom I will addreſs a ſhort anſwer to the queſtion—Why do Biſhops interfere at all in elections?

That this iſſue between Biſhops and the public may be fairly tried, I deſire that, when we are talking of Biſhops interfering in elections, we may

diſtinctly underſtand what it is we mean, when we uſe the words, "interfering in elections."

If by interfering in elections is meant mixing in the diſorders of a conteſted election, entering into vile intrigues, making corrupt bargains, putting up whole lots of electors to ſale by auction, bartering influence in a borough for influence in a county—if it involves in it Biſhops deſcending to any thing unworthy of their religious or moral character, I am no advocate for Biſhops interfering in elections. But I ſubmit it to the conſideration of grave and rational men, whether a Biſhop, if he is worthy of his ſituation, ought not to have, and muſt not of neceſſity have, great influence in popular elections within his dioceſe, and muſt not of neceſſity interfere in elections to the extent of the operation of that influence.

Let it be remembered how few electors do, or can, vote upon their own perſonal knowledge of the candidates—how many of them muſt go out of themſelves for motives powerful enough to direct their judgment in the proper exerciſe of this franchiſe. It too often happens that they act upon unworthy motives; but it can be no reproach to the moſt free and independent elector, and it is in the nature of things, that weight of public character,

opinion,

opinion, friendſhip, gratitude, nay, even dependence, ſhould influence his choice.

Can it then be a crime in a Biſhop, if his clergy look up to him, if, when they are called upon to vote at an election, they wiſh to give their votes in a manner which their Biſhop will approve of; if they eagerly embrace ſuch an opportunity of demonſtrating their reſpect and attachment to their Biſhop? Can conſiderations more proper to influence free and independent men, more honourable to themſelves and to their Biſhop, be ſtated? or ſhall it be ſaid that a clergyman ſhould, in order to preſerve his independence, prefer to be influenced by the importunity of a drunken canvas.

Doubtleſs, a Biſhop may renounce having any opinion upon the ſubject of an election, and his clergy may exerciſe their franchiſe upon motives which do not ſpring out of their relation to their Biſhop; but will religion, morals, or the true ſpirit of our excellent conſtitution, derive any ſecurity from this ſeparation of the clergy from their Biſhop? I admit that if, unfortunately for any dioceſe, there was a Biſhop who never opened his doors to his clergy, and who diſpoſed of all his parochial preferments on the application of Lord A. and Lord B. in order to ſtrengthen their borough or county intereſt, he might as well renounce

nounce having any opinions upon the ſubject of an election, for he would have no influence: but let him be what a Biſhop ought to be—exemplary in the diſcharge of his public and his Chriſtian duties—hoſpitable and generous—friendly in his intercourſe with his clergy—himſelf their patron, he will have influence, and he cannot diveſt himſelf of his influence, without diveſting himſelf of his ſituation, and of thoſe qualities of the head and the heart which originally created it: His clergy are not ſtocks or ſtones, they cannot be brutally inſenſible of his claims upon them for ſuch teſtimonies of affection and regard as their limited means enable them to offer him. From ſuch pure ſources a Biſhop may moſt honourably, and I preſume to think, conſtitutionally, and without departing from the chaſtity and ſanctity of his public character derive an influence, the effect of which is ſo innocent, that it might have prevailed in *Utopia* as well as in *fæce Romuli.*

By way of illuſtration, let us advert to what is paſſing at this moment in another Welch county. The ſon of a Lord of Parliament, that Lord not only learned, but alſo reverend, is one of the candidates. I beg to aſk, would it have been a crime in that reverend and learned Lord, who, in my opinion, has a character to ſuſtain full as ſacred as that of a Biſhop, to have interfered in that

that election, assuming that he could do nothing unworthy of himself in the manner of using, or suffering to be used, the influence which his immense property, his eminent situation in his profession, and his many private virtues, have created? The noble and learned Lord would undoubtedly avoid the appearance of interfering personally in this election, but while the son still continues to be a candidate, what will this proper delicacy of conduct amount to?

By withdrawing himself from all personal interference, he does not, and indeed cannot, divest himself of his influence, or rob his influence of its activity and energy. His Lordship would hardly, I presume, be understood to renounce the most active support of all those electors over whom he had an influence—Does he not expect it?—or on what ground does a young man, just of age, who will, I am confident, hereafter, be an ornament to his rank, but who has not yet finished his education, and, at present, can only be known as the son of the noble and learned Lord, offer himself to the county? Has not his Lordship a right to expect this support? Ought his expectations to be disappointed? Would it not outrage our feelings if they were to be disappointed? In experience, are not these expectations equivalent to commands? Will not the friends

of

of the noble and learned Lord feel themſelves called upon, and, I think, the expreſſion would hardly be too ſtrong, if I were to ſay, forced to give their ſupport.

Is it not apparent then, that in this caſe, this election is interfered with? And ſhall it be doubted, whether ſuch an interference is perfectly juſt and right, and ſtrictly warranted by the principles of our conſtitution? Difficult indeed would be our ſituation, if the conſtitutional doctrine reſpecting the interference of perſons of a certain deſcription in elections, were to be carried the length of impoſing duties utterly impracticable, or of diſſolving all the ties and obligations by which the people of this country are held together in ſociety.

I profeſs to put this ſtrong caſe of the ſon of a Peer by way of illuſtration—there is nothing perſonal in it. I uſe it ſimply for the purpoſe of illuſtrating my propoſition—that influence, whoever poſſeſſes it, will not lie dormant when a popular election is going on, and that, whether the man who poſſeſſes it is a temporal Peer, or a Biſhop, or a perſon of any other deſcription, in the nature of things, it muſt have its effect.

If

If the propoſition is acceded to in the particular caſe of a ſon, I aſk, will it make any difference if the candidate happened to be a relation in a more remote degree; or, if he was no relation, but ſome dear and honoured friend? Who is there that has ſo cold a heart as not to admit the claims of a friend to be often as irreſiſtible as thoſe of our neareſt family connexions.

The laity will probably agree with me that they may interfere in elections; but they will tell us that Biſhops are ſpiritual men—that they ought to confine themſelves to the exerciſe of their ſpiritual functions, to be retired, abſtracted, and wholly withdrawn from the buſineſs and politics of the world—that they ought not to intermeddle in elections, though the laity will for themſelves claim that privilege in its utmoſt extent: But I will take the liberty to inſiſt, that there is no diſtinction in this reſpect between clergy and laiety; that ſuch a diſtinction is againſt the ſpirit of our municipal laws, and the conſtitution of our government, as well as contrary to the nature of things. Our clergy are no longer an inſulated body ſeparated from the ſociety in which they live, confined to their Convocation, and having no participation in the rights of free ſubjects at large, particularly in that noble franchiſe—the right of electing members to ſerve in

Parliament. They have temporal as well as ſpiritual duties: Biſhops have them in an eminent degree. By virtue of their office they are a part of the great council of the nation, and aſſiſt to conduct the buſineſs of it. How large a part, and with what advantage to the community, the Biſhop of Bangor hath taken, has been felt and gratefully acknowledged by thoſe who, for the laſt ſixteen years, have had occaſion to tranſact buſineſs in Parliament.

I have ſucceeded very ill indeed, if I have not proved that, in the nature of things, Biſhops muſt have influence; and were I not myſelf a member (though one of the loweſt, and leaſt worthy) of that order to which they belong, I would boldly challenge for them even a better right to uſe their influence in elections than the laity have, becauſe that influence is generally derived from purer ſources.

A Biſhop cannot, in order to ſtrengthen his influence, keep his term (my North Wales' friends will know what I mean), he cannot drink and ſmoke with the voters, or dance with their wives and daughters; he is not very likely to ſpend a hundred thouſand pounds to carry an election: He muſt be a good Biſhop to be of any conſequence with the electors. If the Biſhop of

Bangor

Bangor had been oppreſſive and tyrannical, cold, ſelfiſh, avaricious and uncharitable, the inſtigators of the perſecution of this venerable Prelate would not have given themſelves the trouble of complaining that he had intermeddled in the election for the County of Caernarvon.

P. S. Since the pamphlet, of which theſe conſiderations are the ſubſtance, was written, I learn that the Biſhop of Bangor has viſited his dioceſe, and that he has been received there with every demonſtration of reſpect and affection; that the whole dioceſe—perſons of all ranks and conditions, including ſome of thoſe who are ſuppoſed to have taken a part in the violent proceedings againſt the Biſhop, have expreſſed their diſapprobation of thoſe proceedings, and their ſatisfaction at the event. What a triumph over malice and duplicity! This has crowned my wiſhes. My countrymen have acted as became them. The Biſhop, I doubt not, will alſo take the part which it becomes him to take: If he has any enemies left, he will *forgive* them. With the means in his hands of bringing them to condign puniſhment, he will leave them to their own feelings: If they have any pretenſions to the character of gentlemen, and men of honour, they will ſuffer ſeverely, and his forgiveneſs will but aggravate thoſe ſufferings, until they redeem themſelves by

ſome

some very public concessions. If they are men of another description, I will pray for them—"From hardness of heart, and contempt of thy word and commandment, good Lord deliver us!"

R. H.

London, Oct. 18, 1796.

FINIS.